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Mary F. Parker
City Clerk



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***JUNE 4, 2001
12:15 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

A report of the City Attorney requesting a Closed Meeting to consult with legal counsel on a matter of probable litigation, pursuant to Section 2.1-344(A)(7), Code of Virginia (1950), as amended.

A report of the City Attorney requesting a Closed Meeting to consult with legal counsel on a matter of pending litigation, pursuant to Section 2.1-344(A)(7), Code of Virginia (1950), as amended.

A communication from the Honorable C. Nelson Harris, Chair, City Council Personnel Committee, requesting a Closed Meeting to discuss the performance of two Council-Appointed Officers, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

A communication from the Honorable Ralph K. Smith, Mayor, requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

CERTIFICATION OF CLOSED SESSION.

THE MEETING OF ROANOKE CITY COUNCIL WILL BE DECLARED IN RECESS TO BE RECONVENED AT 2:00 P.M., IN THE CITY COUNCIL CHAMBER.



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***JUNE 4, 2001
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

The Invocation will be delivered by The Reverend Donald Earwood, Jr., Pastor, Villa Heights Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, June 7, 2001, at 7:00 p.m., and Saturday, June 9, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT www.roanokegov.com, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

PRESENTATIONS:

A RESOLUTION memorializing the late William S. Hubbard, former Roanoke City Council Member.

PUBLIC HEARINGS

Public hearing on a proposed resolution authorizing the City to contract a debt and to issue general obligation public improvement bonds of the City (and in anticipation of the issuance thereof general obligation public improvement bond anticipation notes of the City), in the principal amount of \$3,000,000 for the purpose of providing funds to pay the costs of a public improvement project of and for the City, consisting of capital improvements to the Roanoke Civic Center.

2.

CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the special sessions of Roanoke City Council held on Monday, April 23, 2001; the regular meeting held on Monday, May 7, 2001, and recessed until Thursday, May 10, 2001, for the Second Annual Leadership Summit; and the regular meeting held on Monday, May 21, 2001.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from Robert E. Tonkinson, Jr., tendering his resignation as a member of the Board of Trustees, City of Roanoke Pension Plan, effective June 30, 2001.

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

- C-3 A communication from the City Manager recommending that a public hearing be advertised for Monday, June 18, 2001, at 7:00 p.m., in connection with a request of the Blue Ridge Small Business Development Center for tax exempt status.

RECOMMENDED ACTION: Concur in request.

- C-4 Qualification of Minnis E. Ridenhour as a Commissioner of the Hotel Roanoke Conference Center Commission for a term ending February 24, 2005.

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

**3. HEARING OF CITIZENS UPON PUBLIC MATTERS:
NONE.**

4. PETITIONS AND COMMUNICATIONS: NONE.

5. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending acceptance of a grant from the Roanoke Redevelopment and Housing Authority, in the amount of \$20,000.00, for implementation of a Trespassing Tracking System.

2. A communication recommending acceptance of the donation of the 1218 Locomotive from the Shenandoah Virginia Foundation, a wholly owned subsidiary of Norfolk Southern Railway Corporation, for display at the Virginia Museum of Transportation.
3. A communication from the City Manager recommending appropriation of \$28,568.00, in connection with the Federally Forfeited Property Sharing Program.
4. A communication recommending appropriation of \$34,000.00 for repayment of 85 positions, in connection with an agreement between the City, First Union National Bank and the Fifth District Employment and Training Consortium relating to jobs in Enterprise Zone One.
5. A communication recommending deappropriation of \$450,000.00 in state Industrial Access Funds, in connection with the Johnson and Johnson Offsite Improvements Project.
6. A communication recommending appropriation of \$315,000.00 from the Capital Maintenance and Equipment Replacement Program for equipment purchases, maintenance and other one-time priority purchases.
7. A communication recommending transfer of \$1,102,328.00 to cover workers' compensation wage and medical claims in departmental workers' compensation accounts.
8. A communication recommending execution of a lease agreement with First Campbell Square, LLC, for 2,200 square feet of space at First Campbell Square, 210 First Street, S. W., for use as a computer lab for training purposes by the VISSTA Program; and appropriation of \$30,984.00 in connection therewith.

9. A communication recommending appropriation of \$7,701.00 in connection with acceptance of a grant from the State Department of Rehabilitative Services to the Fifth District Disability Services Board to be used by the Brain Injury Association of Virginia for an educational program in the Roanoke area.
10. A communication recommending amendment of the City Code and the Fee Compendium to reflect a new refundable damage/clean-up deposit of \$200.00 for events serving alcohol and \$100.00 for events not serving alcohol at certain City locations.
11. A communication recommending acceptance of a bid submitted by Cycle Systems, Inc., for recycling services of paper, bottle and can commodities, and rejecting all other bids received by the City.

b. DIRECTOR OF FINANCE:

1. Financial report for the month of April, 2001.
2. A report in connection with transfers to Internal Service Fund budgets.
3. A report recommending transfer of funds in connection with employee fringe benefits.
4. A report recommending amendment of the electric and natural gas consumer utility tax, to provide for a payment date as specified in Section 58.1-2901, Code of Virginia, (1950), as amended.
5. A report in connection with the annual operating budget of the Hotel Roanoke Conference Center Commission for fiscal year 2002.

6. A report recommending appropriation of funds in connection with the Community Development Block Grant (CDBG) program and HOME program income from the Roanoke Redevelopment and Housing Authority, and CDBG miscellaneous program income.

6. REPORTS OF COMMITTEES: NONE.

7. UNFINISHED BUSINESS: NONE.

8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

9. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.
- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS A TIME FOR CITIZENS TO SPEAK AND A TIME FOR COUNCIL TO LISTEN. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED, WITHOUT OBJECTION, IMMEDIATELY, FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

SPECIAL SESSION-----ROANOKE CITY COUNCIL

April 23, 2001

7:00 p.m.

The Council of the City of Roanoke met in special session on Monday, April 23, 2001, at 7:00 p.m., in the Roanoke Civic Center Exhibit Hall, 710 Williamson Road, N. E., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Section 10, Meetings of Council of the City Charter and pursuant to the budget study schedule for adoption of the City's fiscal year 2001-02 budget which was approved by Council on January 16, 2001.

PRESENT: Council Members William D. Bestpitch, William H. Carder, W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, and Mayor Ralph K. Smith-----6.

ABSENT: Council Member C. Nelson Harris-----1.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by Council Member William D. Bestpitch.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

Pursuant to instructions of Council, the Mayor advised that public hearings were advertised for Monday, April 23, 2001, at 7:00 p.m., on the following matters: HUD proposed budget, proposed City budget, cigarette tax rate, transient occupancy tax rate, changing the structure and rates of septic tank disposal fees, and City water rates and related charges for services, the matters were before the body.

Legal advertisements of the public hearings were placed in The Roanoke Times on April 6, April 16 and April 23, 2001.

(For full text, see legal affidavits on file in the City Clerk's Office.)

In view of the number of speakers who wished to be heard, the Mayor requested that each speaker limit their remarks to no more than three minutes.

HOUSING/AUTHORITY-GRANTS: The Mayor advised that the first public hearing pertained to the HUD Consolidated Plan budget which recommends allocation of \$3.9 million in Community Development Block Grant funds, HOME and ESG funds to support an array of housing, homeless prevention, neighborhood and community development, public services and economic development activities.

The Mayor inquired if there were persons present who would like to address the matter; whereupon, Mr. Robert Gravely, 1412 Moorman Road, N. W., advised that the City's pay scale is unrealistic and does not provide enough money for the average City employee to purchase a vehicle, or buy a home, or purchase insurance. He stated that the City's work force is decreasing and there are not sufficient staff on the payroll to do the work of the City.

No other speakers wishing to be heard, the Mayor declared the public hearing closed.

The Mayor advised that the second public hearing pertained to the proposed fiscal year 2001-02 City budget, totaling \$191.3 million; whereupon, the following persons addressed Council:

Mr. David A. Bowers, 601 Camilla Avenue, S. E., addressed Council on behalf of the Passenger Rail Service Committee. He expressed appreciation to the City of Roanoke for designating the old Norfolk Southern Rail Terminal across from The Hotel Roanoke on Shenandoah Avenue as the future site for passenger rail service in the City. With regard to funding, he stated that it was previously recommended that funds come from the proposed 2001-02 budget which is currently under consideration; however, he was now advised that the City Manager has suggested that the funds be included in the City's Capital Improvement Program. He added that members of the Passenger Rail Study Committee concur in the City Manager's suggestion and encouraged Council to keep the request at the forefront. He added that the Committee continues to support the proposal by the City Manager to fund \$1.25 million as the City's share of an \$8 million renovation project to provide a location for the visitor's center, depot and possibly the Winston Link art collection.

Ms. Berniece Meador, 370 Koogler Drive, N. W., spoke on behalf of Fire Station No. 12, the Ridgewood Farms Neighborhood League, and residents of the area. She

advised that residents in the area of Fire Station #12 want to keep the station open and operational which will continue to provide good response time for residents in an emergency situation. She asked that Council give serious consideration to the proposal of the City Manager before taking action.

Ms. Nancy Harper, 1828 Glenroy Street, N. W., Member, Board of Directors, Harrison Museum of African-American Culture, expressed appreciation to the Cultural Services Committee for its tentative allocation of \$22,479.00 for program year 2001-02, and on behalf of the Board of Directors, she requested an increase in the allocation since it falls short of the \$97,078.00 requested. She advised that the Board of Directors and staff of the Harrison Museum have worked diligently to provide quality programming for the community, to obtain the necessary funding for a top notch Museum with ample funding for educational services for all persons while preserving and promoting the achievements of African-Americans, and funding from the City of Roanoke provides a significant role in providing these services and in achieving the mission of the Harrison Museum. She stated that officials and members of the Board of Directors met with the City Manager to discuss concerns and needs of the Museum, as well as needs and concerns of the City of Roanoke and as a result of those meetings and correspondence, the Board of Directors and staff responded in a timely manner to several administrative requests of the City Manager, which response documented the Museum's commitment to both fiscal accountability and sound management. She explained that it was the Board's understanding that the request for additional funds for the current year would be granted once administrative requests were satisfied; however, regrettably, additional funding from the City of Roanoke has not materialized, even though all requests for documentation were honored. She advised that the goal of the Board of Directors of the Harrison Museum is to become more self-sufficient, a staff person trained to concentrate on development and fund raising is needed to secure adequate funding in order for the Harrison Museum to become self-sufficient and the tentative allocation of \$22,479.00 is not sufficient to employ a development officer. She stated that the Harrison Board is composed of volunteers who spend many hours augmenting the work of the Executive Director; however, volunteers are no substitute for an experienced professional development fund raiser. Therefore, she requested that Council grant the request of the Harrison Museum of African-American Culture, in the amount of \$97,078.00 for fiscal year 2001-02.

Thomas Brown, representing the American Red Cross, Roanoke Chapter, advised that throughout the years, the Red Cross has had an ongoing working relationship with the City of Roanoke in administering disaster services. He called

attention to joint efforts to establish a disaster plan at the Roanoke Regional Airport in the event of an air emergency, the Roanoke Chapter worked with the Federal Emergency Management Association in setting up disaster education and mitigation programs in the City of Roanoke, the Red Cross operated a cost free Learn to Swim Program for the City that taught over 300 children how to swim, and the Red Cross trained all City lifeguards and conducted numerous educational programs in the City schools at no cost. He stated that the Red Cross has never approached the City or the School Board for funds; however, because the partnership with the United Way of the Roanoke Valley has been discontinued, the budget of the Roanoke Chapter has been decreased by \$159,000.00; therefor, \$50,000.00 is requested of the City of Roanoke to cover direct service support provided by the Roanoke Chapter to victims of disaster in the Roanoke area.

Tanya Williams, representing the American Red Cross, Roanoke Chapter, called attention to assistance rendered by the Roanoke Chapter to the victims of fire, such as the Third Street apartment fire in which the organization assisted 11 families with miscellaneous living expenses, and the fire at the Summit Apartments which displaced nine persons and the Roanoke Chapter provided medical needs, food, clothing and basic household needs.

Karen Wilson, Disaster Chairperson, Roanoke Chapter, American Red Cross, advised that the Roanoke Chapter has trained over 50 volunteers to manage different types of disasters, and assist with food, household needs and rental assistance when disasters occur. She stated that when injuries occur, the Red Cross provides medical assistance, medicine and emotional support, and when there is loss of life of a family member and the family cannot afford funeral expenses, the Red Cross provides the necessary services 24 hours a day, seven days a week.

Chuck Wells, 1115 Patterson Avenue, S. W., spoke on behalf of the Roanoke Fire Fighters Association. He advised that according to the City Manager, there is a need for budget cuts, but Roanoke's fire fighters believe that when it comes to public safety, the citizens and businesses of Roanoke City deserve only the best, and instead of cutting the number of fire fighters and para-medics, the City should increase the staffing level. He stated that there is ample documentation and studies which show that adding just one additional fire fighter and fire apparatus can increase the City's efficiency rating from 38 per cent to 65 per cent, and with increased staffing also comes an additional benefit in decreased insurance rates paid by citizens and businesses. He added that there are other means available to reduce the cost of fire protection that have not been considered such as proper preventative maintenance on fire stations, and other suggestions that the Firefighters Association is prepared to discuss with the City Manager. He stated that in considering a reduction in staffing for fire service, studies have shown that with reductions there

are increases in property damage, personal injury, and death to both citizens and firefighters. He request that fire fighters be provided with the means to perform their job safely and effectively.

Mr. Craig Sellers, 3615 Manassas Drive, a 19 year City fire fighter, spoke with regard to a reduction in the City's overall work force, and referred to a list which was prepared by the E-911 Control Center listing streets that are closed, traffic control lights and hydrants that are out of service, and 12 opticom units that are not operational, some of which have been out of service for several years. He advised that 26 fire hydrants are out of service, many of which have been non operational for several years and have not been repaired due to a shortage of City employees.

Ms. Robin Murphy-Kelso, 4449 Summit Drive, N. W., spoke on behalf of keeping Fire Station No. 12 open. She advised that when the area was annexed, residents were assured that they would have a fire station in the area, increased water pressure, and adequate fire hydrants; however, water pressure is still an issue and drainage problems are being addressed in three phases. She stated that removing fire equipment for replacement by a medic unit should not be an option, residents were promised a fire station, and they were assured that before any decisions are made, they would be briefed by City officials, however, to date, there has been no contact by City representatives. She requested that Council honor the wishes of the citizens served by Fire Station No. 12.

Ms. Brenda Hamilton, 4505 Biltmore Drive, N. W., a City employee, expressed concern with regard to the proposed pay increase of 3.5 per cent for City employees. She inquired if the pay increase will be based on the maximum of the grade range or on the mid point range. She requested that Council give consideration to providing all City employees with a pay increase based on the maximum of the range rather than the mid point.

Ms. Annette Lewis, Director, Total Action Against Poverty This Valley Works Program, advised that TAP would like to thank the City of Roanoke for its financial support. She further advised that during the past year, as a result of the City's financial support, 115 low income citizens received crisis assistance, 129 youth and adults received remediation literacy instruction, English As A Second Language and GED instruction, 29 students received general office skills, 43 residents received training and development in small businesses, 48 homeless persons received 60 days of supportive services, 144 homeless persons received long term shelter, case management, counseling and life skills training, 56 homeless persons obtained permanent housing, 255 ex offenders were assessed for emergency housing and employment needs and 167 were provided with employment and career counseling, 152 ex offenders were provided with transportation assistance to interviews, medical

appointments, etc., 202 women received crisis intervention assistance and 329 children were represented in the 202 families, and 87 single adults received housing through TAP's single room occupancy project. She stated that the above listed measurements provide a brief overview of the effect of Roanoke City's funding support on the lives of those who have not been as fortunate as others. She encouraged the City to continue its financial support to Total Action Against Poverty.

Stark Jones, representing the Roanoke Valley Chamber of Commerce Community Public Development Initiative, expressed appreciation to the City Manager for implementing an improved budget review for the grant process. He expressed appreciation to Council for its support of the Community Development Business Initiative.

No other persons wishing to be heard, without objection by Council, the Mayor declared the public hearing closed.

The Mayor advised that the third public hearing pertained to a proposed increase in the cigarette tax rate which is recommended to increase from \$.17 to \$.27 per pack, to provide additional funds for needed curb, gutter and sidewalk improvements, effective July 1, 2001.

The Mayor advised that no persons had signed up to speak on the issue; therefore, without objection by Council, he declared the public hearing closed.

The Mayor stated that the fourth public hearing pertained to the transient occupancy tax and the City Manager is recommending an increase from six per cent to seven per cent to provide expanded funding to more effectively market the City of Roanoke. He advised that the following persons would like to address the matter:

Matthew R. Kennell, President-Elect, Roanoke Valley Convention and Visitors Bureau, spoke in support of the proposed increase in the transient occupancy tax rate and expressed appreciation to Council for recognizing tourism as a major revenue generator for the City of Roanoke. He stated that in fiscal year 2000-01, the lodging tax increased over 14.5 per cent over the previous fiscal year and in the first six months of fiscal year 2001-02, the lodging tax increase was 8.7 per cent which is new money and, when combined with existing funding, will allow the Convention and Visitor's Bureau to increase its marketing efforts estimated between \$280,000.00 and \$300,000.00 per year. He asked that the program be an ongoing commitment by the City of Roanoke and not limited to fiscal year 2001-02. He stated that current local funding challenges, a slowing economy, and rising energy and gasoline prices will have a negative impact on the number of visitors to the Roanoke Valley, therefore,

it is critical that the Convention and Visitors Bureau establish a strong marketing presence.

Ms. Brenda Phillips, representing the Wyndam Roanoke Airport Hotel, 2801 Hersherberger Road, N. W., advised that the Roanoke Valley Convention and Visitors Bureau is a vital link to the tourism industry of the Roanoke Valley, and the Wyndam Hotel supports the one per cent increase in the transient occupancy tax if the proceeds go to the Convention and Visitors Bureau to help increase sales and marketing initiatives in the Roanoke Valley.

No other persons wishing to address the matter, without objection by Council, the Mayor declared the public hearing closed.

The Mayor advised that the last public hearing pertains to changing the structure and rates of septic tank disposal fees and City water rates and related charges for services which will result in decreases and increases in certain rates and related charges, as follows: increases in septic tank disposal fees of up to 110 per cent; (2) decreases in certain minimum charges for water services of up to 95 per cent; (3) increases of certain water rates of up to ten per cent; and (4) elimination of the monthly minimum 200 cubic foot allowance for water consumption on and after August 1, 2001.

The Mayor inquired if there were persons present who would like to speak to the issue; whereupon, Gary Phillips, 1715 Murray Road, S. W., representing Tidy Services, endorsed the 110 per cent increase in septic tank disposal fees because the industry is growing and needs to be regulated. He stated that when problems occur, the City should inspect the situation to insure that the service is administered properly.

No other persons wishing to be heard, without objection by Council, the Mayor advised that the public hearing would be closed.

The Mayor noted that Council will convene in fiscal year 2001-02 budget study sessions on Wednesday, April 25, 2001 at 8:00 a.m., and Thursday, April 26, 2001 at 8:30 a.m., in the Emergency Operations Center Conference Room, with the goal of referring the proposed budget back to the City Manager for any necessary adjustments and preparation of the appropriate measures for adoption by Council on Monday, May 7, 2001, at the 2:00 p.m. session.

HOUSING/AUTHORITY: The City Manager submitted a communication advising that Resolution No. 34969-071700 adopted by Council on July 17, 2000, authorized City officials to execute the Shenandoah Crossing Cooperation and Parking

Agreement between the City and the Roanoke Redevelopment and Housing Authority; through this project, the Housing Authority will convert the former Norfolk and Western GOB South into market rate apartments; a budget ordinance adopted by Council at the same meeting provided funding of \$1.2 million to the Housing Authority to assist in financing of the renovation and conversion; and other sources of funding for the project include syndication proceeds and mortgage funds insured by the United States Department of Housing and Urban Development.

It was further advised that to more properly formalize arrangements for the financing of the entire Shenandoah Crossing Project, HUD has advised the City to execute an agreement which appropriately involves all parties to the project, including the City, the Housing Authority, Shenandoah Crossings, LP, Highland Mortgage Company, and the Department of Housing and Urban Development.

The City Manager recommended that Council adopt a resolution authorizing execution of a five-party agreement.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Carder offered the following resolution:

(#35296-042301) A RESOLUTION authorizing execution of an Agreement among the City of Roanoke, the City of Roanoke Redevelopment and Housing Authority (Authority), Highland Mortgage Company (Highland), Shenandoah Crossings, L.P., (Borrower), and the Secretary of Housing and Urban Development (HUD) to provide for implementation of certain aspects of the Redevelopment Plan for the Gainsboro Community Program Area, specifically regarding the conversion of the former Norfolk and Western GOB South into market rate apartments, such Agreement to provide assistance in securing financing and effectuating the project.

(For full text of resolution, see Resolution Book No. 64)

Mr. Carder moved the adoption of Resolution No. 35296-042301. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.
(Council Member Harris was absent.)

COUNCIL: Mr. Bestpitch offered the following resolution changing the time of commencement of the regular meeting of Council scheduled to be held at 2:00 p.m., on Monday, May 7, 2001, to 3:15 p.m., on that date:

(#35297-042301) A RESOLUTION changing the time of commencement of the regular meeting of City Council scheduled to be held at 2:00 p.m., on Monday, May 7, 2001.

Mr. Bestpitch moved the adoption of Resolution No. 35297-042301. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Bestpitch, Carder, Hudson, White, Wyatt and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

There being no further business, the Mayor declared the special meeting adjourned at 8:07 p.m.

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

Ralph K. Smith
Mayor

SPECIAL SESSION-----ROANOKE CITY COUNCIL

April 23, 2001

**Immediately Following the Public Hearing on the
2001-02 Fiscal Year Budget Which Convened at 7:00 p.m. (8:07 p.m.)**

The Council of the City of Roanoke met in special session on Monday, April 23, 2001, immediately following the public hearing on the proposed fiscal year 2001-02 budget which convened at 7:00 p.m., in the Roanoke Civic Center Exhibit Hall, 710 Williamson Road, N. E., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Section 10, Meetings of Council of the City Charter and pursuant to the budget study schedule for adoption of the City's fiscal year 201-02 budget which was approved by Council on January 16, 2001.

PRESENT: Council Members William D. Bestpitch, William H. Carder, W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, and Mayor Ralph K. Smith-----6.

ABSENT: Council Member C. Nelson Harris-----1.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

BUDGET-TAXES: The Mayor advised that the purpose of the special meeting was to consider the City's proposed real property tax rate for fiscal year 2001-02. He further advised that the City Manager's proposed budget includes a real property tax rate of \$1.21 per \$100.00 of assessed value which is the current tax rate.

Legal advertisement of the public hearing was published in The Roanoke Times on April 16, 2001.

(For full text, see publisher's affidavit on file in the City Clerk's Office.)

The Mayor inquired if there were citizens who would like to address Council with regard to the matter; whereupon, no persons asked to be heard.

Without objection by Council, the Mayor declared the public hearing closed.

There being no further business, the Mayor declared the special meeting adjourned at 8:10 p.m.

A P P R O V E D

ATTEST:

**Mary F. Parker
City Clerk**

**Ralph K. Smith
Mayor**

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

May 7, 2001

12:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, May 7, 2001, at 12:00 noon in the Ballroom at the Clarion Hotel Roanoke Airport, 2727 Ferndale Drive, N. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended; and Resolution No. 35288-041601 adopted by the Council on Monday, April 16, 2001.

PRESENT: Council Members C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, William D. Bestpitch, William H. Carder and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by Christin Richardson, student at Roanoke Catholic High School, and Student Mayor.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

The Mayor welcomed all participants and guests to the year 2001 Student Government Day. Student Government Day is a time that students from William Fleming and Patrick Henry High Schools, Roanoke Catholic High School and Roanoke's CITY School are paired with Council Members, Judges, Constitutional Officers, Council-Appointed Officers, and other City staff to learn more about the function of City government.

At 12:20 p.m., the Mayor declared the City Council meeting in recess to be reconvened at 3:15 p.m., in the Roanoke City Council Chamber, 215 Church Avenue, S. W., City of Roanoke.

At 3:15 p.m., on Monday, May 7, 2001, the regular meeting of Roanoke City Council reconvened in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City

Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

PRESENT: Council Members C. Nelson Harris, W. Alvin Hudson, Jr., William White, Sr., Linda F. Wyatt, William D. Bestpitch, William H. Carder and Mayor Ralph K. Smith-----7.

ABSENT: None-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by the Reverend E. M. Mitchell, Pastor, Emmanuel Tabernacle Baptist Church, Moneta, Virginia.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

ANNOUNCEMENTS:

OATHS OF OFFICE-COMMITTEES-SCHOOLS: The Mayor advised that on July 1, 2001, there will be two vacancies on the Roanoke City School Board for terms of three years each, commencing July 1, 2001, and ending June 30, 2004; and the following persons were interviewed by Council for the positions on Thursday, April 19, 2001, said interviews having started at 4:30 p.m., in the City Council Chamber:

Gary M. Bowman
Melvin W. Garrett
Melinda J. Payne
William E. Skeen
Ruth C. Willson

The Mayor requested that each member of Council cast their votes for no more than two nominees; whereupon the following vote was recorded:

FOR MR. BOWMAN: None-----0.

FOR MR. GARRETT: None-----0.

FOR MS. PAYNE: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder and Mayor Smith-----7.

FOR MR. SKEEN: Council Members White, Wyatt and Bestpitch-----3.

FOR MR. WILSON: Council Members Harris, Hudson, Carder and Mayor Smith-

-----4.

Having received the highest number of votes, the Mayor advised that Ms. Payne and Ms. Willson were reappointed as Trustees to the Roanoke City School Board for three year terms each commencing July 1, 2001 and ending June 30, 2004.

PRESENTATIONS:

PROCLAMATIONS: The Mayor presented a Proclamation declaring Saturday, May 12, 2001, as Letter Carriers' Food Drive Day in the City of Roanoke.

PROCLAMATIONS-LANDMARKS/HIST. PRESERVATION: The Mayor presented a Proclamation declaring the week of May 10 - 13, 2001, as National Historic Preservation Week in the City of Roanoke.

A. L. Holland, Sr., Roanoke Regional Preservation Foundation Board Member, commended the City on its historic preservation efforts at Highland Park, Virginia Heights, Wasena, Garden City, and Grandin Court Elementary Schools, Lucy Addison and Breckinridge Middle Schools, the former Jefferson High School and the Harrison Museum of African-American Culture.

Robert K. France, Roanoke Regional Preservation Foundation Board Member, advised that schools are a part of the neighborhood in which they are located, they are compact and conserve larger plots of land in the City, as well as residential and commercial development, and they provide continuity between the generations and help to keep citizens affectionate toward their neighborhoods and the City.

Dr. John Kern, representing the Roanoke Valley Historic Preservation Foundation, commended Roanoke on being a city that is capitalizing on the economic benefits of heritage tourism and Federal and State tax credits for rehabilitation of historic properties. He advised that the Roanoke Valley Historic Preservation Foundation is working with the City and Norfolk Southern on the Virginian Railway Station which is considered to be a national register eligible property and could receive tax credits as an important amenity to Carilion Medical Center. He added that the Preservation Foundation is also working with the City of Roanoke on an architectural survey, with cost sharing funds by the Preservation Foundation, for the downtown historic district which would extend from Jefferson Street north from Franklin Road and will add over 100 properties that will be eligible to receive tax credits for rehabilitation. He invited the Members of Council to a conference sponsored by the Virginia Preservation Alliance during National Historic Preservation Week on May 18 - 20.

PUBLIC HEARINGS:

ROANOKE CIVIC CENTER-LICENSES: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, May 7, 2001, at 3:15 p.m., or as soon thereafter as the matter may be heard, to receive comments with regard to a proposal of the City of Roanoke to provide office space, equipment rooms, storage space, locker and training rooms, coaches' and trainers' offices and 50 parking spaces to Arena Ventures, LLC, in connection with a license agreement between the City of Roanoke and Arena Ventures, LLC, involving the use of the Roanoke Civic Center Coliseum, for a period of five years, with up to a five year renewal, upon mutual agreement of the parties, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, April 29, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

A communication from the City Manager advising that Arena Ventures, LLC, was formed as a joint venture between the National Basketball Association (NBA) and SFX Concerts, Inc., (SFX) for the purpose of creating the National Development Basketball League (NBDL) and to provide enhanced entertainment opportunities for arenas with which it contracts; the concept was first introduced in May 2000 and officials from Arena Ventures, LLC visited Roanoke on October 10, 2000; the City of Roanoke began negotiations for an NBDL franchise on November 15, 2000; and negotiations have concluded which provide Roanoke with the opportunity to be one of eight initial franchises in the new league, was before Council.

It was further advised that capital improvements, in the amount of \$3 million to the Civic Center Coliseum, are required in order to meet the requirements of the proposed license agreement; projected annual revenues are \$921,832.00, while projected annual expenses are \$593,334.00, producing an estimated net annual income of \$328,498.00; and annual net income of this level will be sufficient to repay the indebtedness proposed to be issued to support the capital improvements.

The City Manager transmitted a copy of a communication from the Roanoke Civic Center Commission recommending execution of a License Agreement between the City and Arena Ventures, LLC, as authorized by the Civic Center Commission at its meeting on April 16, 2001.

The City Manager recommended that she be authorized to enter into a License Agreement between the City and Arena Ventures, LLC, that will provide for: (1) use of the Civic Center Coliseum and related facilities by Arena Ventures to provide a certain number of National Basketball Developmental League games and a certain number of events produced by SFX Concerts, Inc., in the Coliseum over a five year period; (2) the City will make certain office space and other space available to Arena Ventures for use during the term of the License Agreement; (3) authorization for

payment to Arena Ventures of an entertainment acquisition fee and to authorize financial arrangements in connection with the License Agreement with Arena Ventures; and (4) authorization for the City Manager to take such further action and to execute such documents as may be reasonably necessary to provide for implementation and administration of the License Agreement.

The City Manager further recommended that the City Clerk be authorized to advertise a public hearing for Monday, June 4, 2001, or at such other time as the City Manager may deem appropriate, for the purpose of receiving citizen input on the issuance of \$3 million in bonds under the Public Finance Act, inasmuch as Council intends to provide funds by issuance of such bonds.

(For full text, see report on file in the City Clerk's Office.)

ACTION: Mr. White offered the following ordinance. The motion was seconded by Mr. Harris:

(#35298-050701) AN ORDINANCE authorizing the proper City officials to enter into a License Agreement between the City of Roanoke and Arena Ventures, LLC, that will provide for use of the Civic Center Coliseum and certain related facilities by Arena Ventures to provide a certain number of National Basketball Development League (NBDL) games and a certain number of events produced by SFX Concerts, Inc., in the Coliseum over a five year period and that will require the City to make certain improvements to the Coliseum and to provide certain office space and other space to Arena Ventures for use during the term of the License Agreement; to authorize the payment to Arena Ventures of an entertainment acquisition fee and to authorize other financial arrangements in connection with the License Agreement with Arena Ventures; to authorize the City Manager to take such further action and execute such documents as may be reasonably necessary to provide for the implementation and administration of the License Agreement; authorizing the City Clerk to advertise a public hearing on the issuance of bonds; and dispensing with the second reading of this Ordinance.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. White moved the adoption of Ordinance No. 35298-050701. The motion was seconded by Mr. Harris.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter. There being none, Ordinance No. 35298-050701 was adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

Without objection by Council, the Mayor advised that the public hearing would be closed.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. The Mayor withdrew his request for a Closed Meeting to discuss personnel matters with regard to vacancies on various authorities, boards, commissions and committees appointed by Council.

The Mayor relinquished the Chair to the Vice-Mayor inasmuch as he has a conflict of interest in connections with a communication from the City Manager recommending that Council set a public hearing as a request of Burton Electric Signs, on behalf of First Citizens Bank, to install a projection sign on the building at 110 Church Avenue, S. W., which would encroach into the public right-of-way.

MINUTES: Minutes of the regular meetings of Council held on Monday, October 2, 2000 and Monday, April 16, 2001, which meeting was reconvened on Thursday, April 19, 2001 for Roanoke City School Board Interviews, were before the body.

(For full text, see Minutes on file in the City Clerk's Office.)

ACTION: Mr. Harris moved that the reading of the Minutes be dispensed with and that the Minutes be approved as recorded. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, and Vice-Mayor Carder-----6.

NAYS: None-----0.

(Mayor Smith abstained from voting.)

COMMITTEES-SPECIAL EVENTS: A communication from Samuel G. Oakey, III, tendering his resignation as a member of the Special Events Committee, was before Council.

(For full text, see communication on file in the City Clerk's Office.)

ACTION: Mr. Harris moved that the communication be received and filed and that the resignation be accepted. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, and Vice-Mayor Carder-----6.

NAYS: None-----0.

(Mayor Smith abstained from voting.)

SIGNS/BILLBOARDS/AWNINGS-LICENSES-SPECIAL PERMITS: A communication from the City Manager advising that Burton Electric Signs, on behalf of First Citizens Bank, has requested permission to install a projection sign on the building at 110 Church Avenue, S. W., which would encroach into the public right-of-way; the proposed sign would encroach approximately 18 inches into the right-of-way and have 11 feet of clearance above the sidewalk; the right-of-way of Church Avenue at this location is approximately 50 feet in width; and liability insurance and indemnification of the City by the property owner shall be provided by the property owner, was before Council.

The City Manager recommended that she be authorized to advertise a public hearing, and following the public hearing, to execute the appropriate documents granting a revocable license to property owners at 110 Church Avenue, S. W., to allow installation of a sign encroaching approximately 18 inches into the right-of-way of Church Avenue.

(For full text, see communication on file in the City Clerk's Office.)

ACTION: Mr. Harris moved that Council concur in the recommendation of the City Manager. The motion seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, and Vice-Mayor Carder-----6.

NAYS: None-----0.

(Mayor Smith abstained from voting.)

OATHS OF OFFICE-COMMITTEES-ROANOKE NEIGHBORHOOD PARTNERSHIP-HOTEL ROANOKE CONFERENCE CENTER: The following reports of qualification were before Council:

James P. Armstrong as a member of the Roanoke Neighborhood Partnership Steering Committee to fill the unexpired term of Mark E. Petersen, ending November 30, 2001;

William White, Sr., to fill the unexpired term of James D. Ritchie, resigned, ending April 8, 2003; C. Clark Jones for a term ending September 18, 2003; and Raymond D. Smoot, Jr., for a term ending February 24, 2005, as Commissioners of the Hotel Roanoke Conference Center Commission; and

Bob R. Caudle as a member of the Roanoke Neighborhood Partnership Steering Committee for a term ending November 30, 2003.

(See Oaths or Affirmations of Office on file in the City Clerk’s Office.)

ACTION: Mr. Harris moved that the report of qualification be received and filed. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, and Vice-Mayor Carder-----6.

NAYS: None-----0.

(Mayor Smith abstained from voting.)

The Mayor resumed the Chair.

REGULAR AGENDA

HEARING OF CITIZENS UPON PUBLIC MATTERS: None.

PETITIONS AND COMMUNICATIONS: None.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: None.

ITEMS RECOMMENDED FOR ACTION:

CITY PROPERTY-WATER DEPARTMENT: The City Manager submitted a communication advising that the City of Roanoke currently owns over 14,000 acres of watershed and buffer property for the protection and preservation of the Carvins Cove Reservoir and the Beaver and Falling Creek Reservoirs; watershed property provides drainage from rainfall into the storage reservoirs and is the only source of recharge; and buffer property, while beyond the divide of the watershed, provides protection against intrusion upon the watershed property.

It was further advised that City policy provides that watershed property is not for sale, while buffer property may be considered for lease or sale on an extremely limited basis; the City receives requests periodically for the purchase of watershed and buffer property from adjoining property owners; and recent requests have identified a need to establish a policy for the sale of property within the City of Roanoke water supply watersheds.

The City Manager recommended that Council adopt a proposed policy on the sale of land in City owned watersheds to establish a consistent means of addressing future requests.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following resolution:

"A RESOLUTION approving and adopting the City of Roanoke Policy on the Sale of Property within the City of Roanoke Water Supply Watersheds in accordance with the City Manager's Letter to this Council dated May 7, 2001."

Mr. Harris moved the adoption of the resolution. The motion was seconded by Mr. Carder.

Ms. Wyatt expressed concern with regard to the removal of trees near the watershed which could lead to serious conditions relating to soil erosion and water run-off.

Michael McEvoy, Director, Utilities, advised that agricultural activities with regard to tree deforesting are not defined by the United States Government, therefore, under covenants of the sale of the land at Carvins Cove, the purchaser would not be permitted to harvest trees from the property.

Ms. Wyatt inquired as to any provisions relating to a property owner who wishes to construct a house and remove all of the trees from his or her lawn; whereupon, Mr. McEvoy advised that the property owner would be required to comply with the requirements of Roanoke County for a single family residence which would allow the property owner to clear only the area immediately surrounding the home, and he was of the opinion that Roanoke County would not permit a property owner to clear an entire ten to twenty acre lot.

Prior to voting on the matter, Ms. Wyatt requested a clarification with regard to requirements imposed by Roanoke County.

Mr. White offered a substitute motion that the matter be tabled pending clarification of Ms. Wyatt's question by City staff. The motion was seconded by Mr. Harris and adopted.

POLICE DEPARTMENT-BUILDINGS/BUILDING DEPARTMENT-BUDGET-BILLINGS AND COLLECTIONS-CMERP-EQUIPMENT: The City Manager submitted a communication advising that the Capital Maintenance and Equipment Replacement Program (CMERP) has identified the need to replace three four-wheel drive utility vehicles in the Police Department, one pickup truck in Building Services and one pickup truck in Billings and Collections; the lowest bid, meeting specifications, for utility vehicles was submitted by Magic City Motor Corporation, in the amount of \$27,237.00 per unit; Magic City Motor Corporation was the lowest bidder on the pickup truck for Building Services, at a cost of \$13,299.00, and a pickup truck for the Department of Billings and Collections, at a cost of \$14,071.00, said bids having met all required specifications.

The City Manager recommended that bids be awarded as above set forth and that she be authorized to issue purchase orders, for a total of \$109,081.00; and that Council appropriate funds from Fleet Management Prior Year Retained Earnings to Fleet Management, Account No. 017-440-2642-9010.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency ordinance:

(#35299-050701) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Fleet Management Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35299-050701. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Harris offered the following resolution:

(#35300-050701) A RESOLUTION accepting bids made to the City for furnishing and delivering utility vehicles and pickup trucks, upon certain terms and conditions; and rejecting all other bids made to the City.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35300-050701. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-INDUSTRIES: The City Manager submitted a communication advising that Allegheny Construction Co., Inc., was awarded a contract, in the amount of \$1,300,883.00 at the November 6, 2000, meeting of City Council to provide for extension of existing Blue Hills Drive, and grading three sites known as Tracts A, B, and F; the contractor has proposed grading an additional site in RCIT, Tract D, which is next to one of the other sites currently under construction; the cost of additional grading is based upon current contract prices; proposed grading of Tract D involves approximately 300,000 cubic yards of earthwork and is proposed at a lump sum amount of \$868,500.00; and staff has reviewed the grading proposal and finds it favorable to the City.

The City Manager recommended that she be authorized to execute Change Order No. 1, in the lump sum amount of \$868,500.00, with Allegheny Construction Co., Inc., to provide for grading of Tract D at the Roanoke Centre for Industry and Technology.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency ordinance:

(#35301-050701) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35301-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Harris offered the following emergency ordinance:

(#35302-050701) AN ORDINANCE authorizing the City Manager's issuance of Change Order No. 1 to the City's contract with Allegheny Construction Co., Inc., for the grading of Tract D at the Roanoke Centre for Industry and Technology; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35302-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

POLICE DEPARTMENT-BUDGET-EQUIPMENT: The City Manager submitted a communication advising that the City entered into a contractual agreement with Thor, Inc., for construction of the New Police Building, in the amount of \$4,015,200.00 and 390 consecutive calendar days construction time; change orders totaling \$189,507.50 have been approved; a change in the communication/data network system is necessary to ensure compatibility with current equipment totaling \$30,081.00 and 12 additional days of contract time; due to inclusion of some funding in the contract Schedule of Values, there is no net additional expense to the contract; and the total contract amount of \$4,204,707.50 will not change.

The City Manager recommended that she be authorized to execute Change Order No. 11 for the above work with Thor, Inc., in the amount of \$30,081.00 and 12 additional calendar days of contract time.

(For full text, see communication on file in the City Clerk's Office.)

Mr. White offered the following emergency ordinance:

(#35303-050701) AN ORDINANCE authorizing the City Manager's issuance of Change Order No. 11 to the City's contract with Thor, Inc., for a change of the communication/data network system for the New Police Building Project; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. White moved the adoption of Ordinance No. 35303-050701. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-WATER RESOURCES-MAPS: The City Manager submitted a communication advising that the Planning Assistance to States Program provides for Federal matching funds to help localities support mapping and flood planning activities; a five year program to provide digital topographic and orthophoto maps of the City was developed with the U. S. Army Corps of Engineers; the first year of the project has been successfully completed and mapping coverage for the northern third of the City has been completed and received by the City; Phase II of the project maps the central third of the City and is nearing completion, and map products will be delivered to the City within the next 60 days; and Phase III of the program includes mapping of the southern third of the City which will complete topographic mapping.

It was further advised that an agreement between the City and the Corps of Engineers has been developed which will provide for completion of topographic mapping and orthophotography of the City; and the proposed contract has a cost of \$118,000.00 to the City of Roanoke, with Federal matching funds to be provided by the Corps of Engineers.

The City Manager recommended that she be authorized to execute an agreement for Phase III Water Resources Planning - Digital Mapping between the City

of Roanoke and the U. S. Army Corps of Engineers; that Council appropriate \$69,000.00 from the Capital Maintenance and Equipment Replacement Fund and transfer \$49,000.00 from Account No. 008-056-9654-9003 - Corps of Engineers Mapping Project, to a new project account entitled, Corps of Engineers Mapping – Phase III.

(For full text, see communication on file in the City Clerk’s Office.)

Mr. Harris offered the following emergency ordinance:

(#35304-050701) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General and Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35304-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Harris offered the following resolution:

(#35305-050701) A RESOLUTION authorizing the City Manager to enter into an agreement with the U. S. Army Corps of Engineers to provide Phase III Water Resources Planning - Digital Mapping products and services to the City.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35305-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-WATER RESOURCES-SEWERS AND STORM DRAINS: The City Manager submitted a communication advising that a project to expand the capacity

of the City's Water Pollution Control Plant (WPCP) to 62 million gallons per day (MGD) average daily monthly flow for the maximum month and addition of collection system capacity through the addition of two new interceptor lines was completed in March 2000; upon completion of the project, questions arose as to the actual capacity increase at the facility achieved by the new additions and modifications; and increased facility flows, which occurred as a result of area rainfall, taxed and exceeded the structural capabilities of the facilities to provide necessary levels of treatment well before reaching the intended design flow.

It was further advised that a capacity study was undertaken to determine if a capacity shortfall existed; with completion of the capacity study, there is reason to believe that design capacity of the facility is indeed below 62 MGD average daily flow for the maximum month; the capacity shortfall has been calculated to be between 10 to 14 MGD; ongoing negotiations with the Virginia Department of Environmental Quality (DEQ) and the Virginia Department of Health (VDH) have resulted in regulatory requirements that the City and partnering jurisdictions pursue additional activities to resolve capacity issues at the facility; the proposed contract will result in a preliminary engineering report to define necessary improvements to meet the 62 MGD requirements and will also provide engineering recommendations for immediate addition of interim improvements.

The City Manager recommended that Council approve a contract for the above described work and that she be authorized to execute a contract, in a form acceptable to the City Attorney, with Stearns & Wheler, LLC, in the amount of \$342,681.00; that Council appropriate funds from Sewage Fund Retained Earnings to Account No. 003-510-8360-9055; and establish accounts to receive funds from partnering jurisdictions according to the 1994 Multi-Jurisdictional Contract.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency ordinance:

(#35306-050701) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Sewage Treatment Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35306-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Harris offered the following resolution:

(#35307-050701) A RESOLUTION authorizing a contract with Stearns & Wheler, LLC for engineering design services for the preparation of a detailed preliminary engineering report regarding the current capacity of the City's Regional Water Pollution Control Plant, evaluation of current operations, recommendations of possible interim improvements to the existing treatment process, and certain other items.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35307-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

FIRE DEPARTMENT: The City Manager submitted a communication transmitting a resolution opposing passage of new fire and emergency medical services standards by the National Fire Protection Association (NFPA), advising that the Virginia Municipal League has requested local jurisdictions to adopt the opposing resolution and forward a copy to NFPA prior to May 16, 2001.

The City Manager recommended that the resolution be adopted.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following resolution:

(#35308-050701) A RESOLUTION opposing the adoption of the proposed new National Fire Protection Association (NFPA) 1710 and 1720 standards.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35308-050701. The motion was seconded by Mr. Carder.

Mr. Bestpitch advised that it is unclear as to what Council is being requested to oppose. He stated that he is not an expert in fire safety and appreciates the fact that there is a nationwide association that provides scientifically based recommendations on fire protection standards. He added that the only explanation he has been given up to this point is that Council is being asked to oppose the standards because they will pre-empt local authority and create a one size fits all standard for the City of Roanoke and all cities and towns, and by definition, it would appear that any national standard on any issue would pre-empt local authority. He questioned why the City of Roanoke is suddenly reversing course by not supporting NFPA standards when the City has taken pride in the fact that certain City departments have been on the cutting edge of meeting state-wide and national standards and until he is provided with a sounder basis for opposing NFPA standards, he could not support the resolution.

Ms. Wyatt concurred in the remarks of Mr. Bestpitch. She advised that 1710 and 1720 pertain to minimum response times and minimum fire coverage staffing levels which have a direct relationship on the safety of those persons who live in the community and she would not vote in favor of any regulation that would be less than national standards.

Mr. Hudson concurred in the remarks of Mr. Bestpitch and Ms. Wyatt.

The City Manager was requested to describe the City's involvement in the matter, the position of the Virginia Municipal League, and the recommendation of the City Manager regarding 1710 and 1720.

The City Manager advised that the issue of NFPA standards is one of long standing, and there have been numerous recommendations from the NFPA and the City has chosen to voluntarily commit to certain standards. She stated that the Fire Chief has forwarded a number of responses to the NFPA regarding the standards as they were being developed in these two areas and his input and that of others was not accepted, therefore, the matter will be presented at the national conference later this month; and it was the intent of the Fire Chief, supported by the City Manager, to oppose the two standards at the national conference. She explained that correspondence was received from the Virginia Municipal League requesting each Virginia locality to consider and to adopt a model resolution that was drafted by the Virginia Municipal League. She added that the VML, as a single entity representing the majority of cities, counties and towns in Virginia, looked at both the fiscal impact of the standards which would become mandates and is of the opinion that the

proposed regulations will take away the decision making capability of the locality as it relates to manpower and could impose a considerable financial burden on some localities. She advised that it is the recommendation of the Fire Chief and the City Manager that Council support the opposition to mandated staffing levels; and at the present time, the City of Roanoke meets almost all recommendations on a voluntary basis, however, it is objectionable that regulations would be mandated on the City of Roanoke and other localities.

Following further discussion, Mr. White called for the question. The motion was seconded by Mr. Harris and adopted, Council Member Bestpitch voted no.

Resolution No. 35308-050701 was adopted by the following vote:

AYES: Council Members Harris, White, Carder, and Mayor Smith-----4.

NAYS: Council Members Bestpitch, Hudson, and Wyatt-----3.

CITY ATTORNEY:

CITY CODE-ROANOKE ARTS COMMISSION-CULTURAL SERVICES COMMITTEE: The City Attorney submitted a written report in connection with recommendations made by a committee appointed by Council to review and submit recommendations on restructuring of certain of the City's authorities, boards, commissions and committees, advising that one of the recommendations was to merge the Roanoke Arts Commission with the Cultural Services Committee; whereupon, he transmitted an ordinance which would combine and merge the two entities.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following emergency ordinance:

(#35309-050701) AN ORDINANCE amending Section 2-271, Powers and duties of commission, of Article XIII, Gifts, Grants, Devises and Bequests to City, of Chapter 2, Administration, Code of the City of Roanoke (1979), as amended, in order to merge the City's Cultural Services Committee with the Roanoke Arts Commission; repealing Section 2-301.1, Cultural Services Committee, of Article XIV, Authorities, Boards, Commissions and Committees - Generally, of Chapter 2, Administration, Code of the City of Roanoke (1979), as amended; providing for an emergency, and for an effective date.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35309-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

DIRECTOR OF FINANCE:

DIRECTOR OF FINANCE-AUDITS/FINANCIAL REPORTS: The Director of Finance submitted the Financial Report for the City of Roanoke for the month of May, 2001.

(For full text, see Financial Report on file in the City Clerk's Office.)

ACTION: Without objection by Council, the Mayor advised that the Financial Report would be received and filed.

REPORTS OF COMMITTEES:

BUDGET-CABLE TELEVISION: A communication from Council Member W. Alvin Hudson, Jr., Council's representative to the Roanoke Valley Regional Cable Television Committee, transmitting the Roanoke Valley Cable Television Annual Budget for Fiscal Year 2001-02, totaling \$269,616.00, with the City's contribution totaling \$148,289.00, was before the body.

It was advised that the City of Roanoke, the County of Roanoke, and the Town of Vinton jointly operate Roanoke Valley Television (RVTV); the station is located at the Jefferson Center and currently employs five full-time staff members; on June 8, 1992, Council approved the Roanoke Regional Cable Television Agreement, which requires that the RVTV Operating Budget be approved by the governing bodies of the city, the county, and the town; and funding for the operating budget is shared by the three governments, based on the annual proportion of Cox Cable subscribers located in each jurisdiction.

On behalf of the City's representatives to the Roanoke Valley Regional Cable Television Committee, and as City Council's representative to the Committee, Mr. Hudson recommended that Council approve the proposed RVTV budget for fiscal year 2001-02, in the amount of \$269,616.00, with the City's contribution totaling \$148,289.00.

(For full text, see report on file in the City Clerk's Office.)

Mr. Hudson offered the following resolution:

(#35310-050701) A RESOLUTION approving the recommendation of the Roanoke Valley Regional Cable Television Committee to approve the annual operating budget for Fiscal Year 2001-2002 for the operation of the regional government and educational access station-Roanoke Valley Television (RVTV, Channel 3), and for the City to provide partial funding.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Hudson moved the adoption of Resolution No. 35310-050701. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

BONDS/BOND ISSUES-BUDGET-WATER RESOURCES: Council Member W. Alvin Hudson, Jr., Chairperson, Bid Committee, presented a written report on behalf of the Committee, advising that the City of Roanoke was notified by the Commonwealth of Virginia Department of Health on May 2, 2000 that, due to possible surface water influence, Crystal Spring could not be used as a water supply until the water was treated for potential surface contaminants, which caused a loss of three to four million gallons of water per day in the potable water supply of the City.

It was further advised that a preliminary engineering study determined the most feasible method to treat Crystal Spring water was a membrane filtration system; and two bids were received, following proper advertisement, for said equipment.

The Bid Committee recommended that Council accept the bid of U. S. Filter Wastewater Group, Inc., in the total amount of \$320,063.40, to provide pilot testing and detailed shop drawings for the proposed membrane filtration system, which will guarantee the price of the equipment as above set forth; that the Director of Finance be authorized to appropriate \$320,063.00 from Water Fund Retained Earnings to an account to be established entitled, Crystal Spring Water Treatment Equipment; that Council adopt a resolution indicating the City's intent to reimburse itself from the proceeds of General Obligation Bonds to be issued in the future; and that Council reject the other bid received by the City.

The City Manager submitted a statement of concurrence in the recommendation of the Bid Committee.

(For full text, see reports on file in the City Clerk's Office.)

Mr. Hudson offered the following emergency ordinance:

(#35311-050701) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Water Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Hudson moved the adoption of Resolution No. 35311-050701. The motion was seconded by Mr. White and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Harris offered the following resolution:

(#35312-050701) A RESOLUTION declaring the City's intent to reimburse itself from the proceeds of its general obligation public improvement bonds for certain monies to be appropriated by the City for expenditures in connection with the Crystal Spring Water Treatment Plant Project; and providing for an effective date.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35312-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Harris offered the following emergency ordinance:

(#35313-050701) AN ORDINANCE accepting the bid of U. S. Filter Wastewater Group, Inc., to provide pilot testing and detailed shop drawings for the proposed membrane filtration system at the Crystal Spring Water Treatment Plant, and to guarantee the price of the equipment to be subsequently supplied, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City

officials to execute the requisite contract for such work; rejecting all other bids made to the City for such work: and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35313-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

POLICE DEPARTMENT-EQUIPMENT: Council Member W. Alvin Hudson, Jr., Chairperson, Bid Committee, presented a written report on behalf of the Committee, in connection with bids received by the City for purchase and installation of furniture and equipment for the New Police Building located at 348 West Campbell Avenue, which includes all office furniture, all conference room and meeting room furniture, and 35 work stations, in accordance with contract documents as prepared by the Office of the City Engineer.

It was advised that Harris Office Furniture Co., Inc. submitted the low bid, in the amount of \$229,786.00, with 30 consecutive calendar days for completion; and funding in the amount of \$240,000.00 is needed and is available in the New Police Building, Account No. 008-052-9563.

The Bid Committee recommended that Council award the bid to Harris Office Furniture and authorize issuance of a purchase order in the total amount of 229,786.00; and reject the other bid received by the City.

The City Manager submitted a statement of concurrence in the recommendation of the Bid Committee.

(For full text, see report on file in the City Clerk's Office.)

Mr. Hudson offered the following resolution:

(#35314-050701) A RESOLUTION accepting the bid of Harris Office Furniture Co., Inc. for the purchase and installation of the office furniture and work stations for the New Police Building, upon certain terms and conditions and authorizing a purchase order therefor; and rejecting all other bids made to the City for such work.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Hudson moved the adoption of Resolution No. 35314-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-WATER RESOURCES: Council Member W. Alvin Hudson, Jr., Chairperson, Bid Committee, presented a written report on behalf of the Committee, in connection with bids received by the City for exterior and interior painting of the 1,000,000 gallon Parkway standpipe potable water tank (between Falling Creek Treatment Plant and the Town of Vinton).

The Bid Committee recommended that Council accept the bid of and award a lump sum contract to Corfu Contractors, Inc. in the amount of \$147,500.00, and 60 consecutive calendar days to complete the work; and reject all other bids received by the City.

The City Manager submitted a statement of concurrence in the recommendation of the Bid Committee.

(For full text, see report on file in the City Clerk's Office.)

Mr. Hudson offered the following emergency ordinance:

(#35315-050701) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Water Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Hudson moved the adoption of Ordinance No. 35315-050701. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Harris offered the following emergency ordinance:

(#35316-050701) AN ORDINANCE accepting the bid of Corfu Contractors, Inc., to paint the exterior and interior of the 1,000,000 gallon Parkway standpipe potable water tank, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for such work; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35316-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

TRAFFIC-BUDGET-SIGNALS AND ALARMS-STREETS AND ALLEYS-TRAFFIC: Council Member W. Alvin Hudson, Jr., Chairperson, Bid Committee, presented a written report on behalf of the Committee, in connection with bids received by the City for improvements and signalization at Hollins Road/Liberty Road, consisting of turn lanes, road widening, and signal foundations at Hollins and Liberty Roads.

The Bid Committee recommended that Council accept the bid of and award a unit price contract to H. & S. Construction Company, in the amount of \$89,681.06 and 100 consecutive calendar days of contract time; and reject the other bid received by the City.

The City Manager submitted a statement of concurrence in the recommendation of the Bid Committee.

(For full text, see report on file in the City Clerk's Office.)

Mr. Hudson offered the following emergency ordinance:

(#35317-050701) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Hudson moved the adoption of Ordinance No. 35317-050701. The motion was seconded by Mr. White and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

Mr. Harris offered the following emergency ordinance:

(#35318-050701) AN ORDINANCE accepting the bid of H. & S. Construction Company for the Improvements and Signalization at Hollins Road/Liberty Road Project which consists of turn lanes, road widening, and signal foundations at Hollins Road and Liberty Road, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for such work; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35318-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

UNFINISHED BUSINESS: None.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

BUDGET-HOUSING/AUTHORITY-GRANTS: Mr. Harris offered the following resolution authorizing the City Manager to submit an approved Annual Update to the Consolidated Plan for fiscal year 2001-2002 to the United States Department of Housing and Urban Development (HUD) for final review and approval, and authorizing the execution of the appropriate documents for acceptance of such funding:

(#35319-050701) A RESOLUTION authorizing the City Manager to submit an approved 5-Year Consolidated Plan to the United States Department of Housing and Urban Development (HUD) for review and approval, and authorizing the execution of the appropriate documents for the acceptance of such funding.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35319-050701. The motion was seconded by Mr. Carder.

The City Manager submitted a communication advising that the U. S. Department of Housing and Urban Development (HUD) requires that entitlement localities, such as the City of Roanoke, submit a Five-Year Consolidated Plan, with Annual Updates, in order to receive Community Development Block Grant (CDBG), HOME Investment Partnership and Emergency Shelter funds.

It was further advised that funding for fiscal year 2001-2002 would be available from the following sources:

New HUD Entitlements	\$ 3,068,000.00
Estimated Program Income	683,704.00
Estimated Carry-over	<u>157,000.00</u>
Subtotal	\$ 3,908,704.00
 Estimated Leveraged Funds	 <u>\$ 4,037,146.00</u>
Total Estimated Budget	<u>\$ 7,945,850.00</u>

The City Manager recommended that she be authorized to submit an approved Consolidated Plan Annual Update to HUD for review and approval.

(For full text, see communication on file in the City Clerk's Office.)

Resolution No. 35319-050701 was adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-FEE COMPENDIUM-WATER RESOURCES-SEWERS AND STORM DRAINS: Mr. Harris moved that the following ordinance changing the rate structure and establishing a revised rate schedule for septic tank disposal fees and for certain water rates and related charges for services provided by the City, effective August 1, 2001; and directing amendment of the Fee Compendium, be placed upon its first reading:

(#35320) AN ORDINANCE changing the rate structure and establishing a revised rate schedule for septic tank disposal fees and for certain water rates and related charges for services provided by the City, effective August 1, 2001; and directing amendment of the Fee Compendium.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: The motion was seconded by Mr. Carder.

The City Manager submitted a communication advising that a team of staff from the Department of Utilities and the Office of Billings and Collections has been reviewing all aspects of the City of Roanoke's water and sewer rates, which included examining billing data and current industry trends, benchmarking against other utilities in the Roanoke Valley, as well as similar-sized municipal systems throughout Virginia, and analyzing revenue sources to determine if the billings made to various customer classes allocate costs appropriately; and as a result, the committee has developed a utility rate restructuring plan that recommends the following:

Develop a base charge that reflects the fixed costs (billing, metering, fire protection, infrastructure, and administration) of operating the utility systems.

Implement an increasing block (two-tier) rate structure to encourage conservation.

Eliminate the current allowance for the first 200 cubic feet of water consumption.

Establish a temporary water service system that meters actual consumption to replace the existing fire hydrant permit system.

Apply the second tier conservation rate to the irrigation (sewer exempt) meter class.

Establish connection fees on the actual infrastructure costs of new connections and system capacities.

Reduce the monthly charges assessed to fire service stand-by accounts.

Keep sewer rates unchanged pending development of a capital facilities plan.

Increase septic tank disposal rates to reflect market conditions.

Make adjustments to miscellaneous service fees and charges.

It was further advised that the above changes, detailed in Exhibit A to the report, will generate additional annual revenues estimated at \$1,114,600.00 that will be used to improve the utility system's aging infrastructure; however, the total monthly water and sewer bill for residential customers will remain one of the lowest in the region and state, increasing on average only \$2.42 per month; certain water rates will increase up to ten per cent, the monthly minimum 200 cubic foot allowance for water consumption will be eliminated, and septic tank disposal fees will increase to reflect market conditions; however, certain minimum charges for water services will decrease; and even with the proposed rate changes, the City of Roanoke will have one of the lowest rate structures in the Roanoke Valley and the lowest of comparable sized utilities in the Commonwealth of Virginia; and the proposed effective date for the changes is August 1, 2001.

It was explained that the rate restructuring plan will achieve the goals of promoting water conservation, updating to rates that are market competitive, reflecting current industry practice, establishing rates that fairly allocate costs, and allowing capital investment in the City's utility infrastructure to better serve Roanoke's citizens.

The City Manager recommended that Council approve the revised utility rate restructuring plan as more fully set forth in Exhibit A attached to the communication.

(For full text, see communication on file in the City Clerk's Office.)

Ordinance No. 35320, on its first reading, was adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Bestpitch, Carder, and Mayor Smith-----6.

NAYS: Council Member Wyatt-----1.

BUILDINGS/BUILDING DEPARTMENT-CITY PLANNING-CITY CODE-BUDGET-FEE COMPENDIUM: Mr. Harris offered the following resolution amending the City's Fee Compendium to provide for new and revised application, permit, inspection and plan review fees in order to update current fees and promote uniformity with fees charged by the City and surrounding localities, effective July 1, 2001:

(#35321-050701) A RESOLUTION amending the City's Fee Compendium to provide for new and revised application, permit, inspection and plan review fees in order to update current fees and promote uniformity with fees charged by the City and surrounding localities.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35321-050701. The motion was seconded by Mr. Carder.

The City Manager submitted a communication advising that in developing the budget for fiscal year 2001-2002, City departments were asked to examine their operations and find ways to re-engineer services to generate cost savings for their departments, which effort resulted in a net reduction of 12 vacant positions, and a \$1.1 million reduction in departmental budgets; departments were also asked to look at their fee structures and, where feasible, to propose fee schedule changes that would establish some uniformity between the City of Roanoke and other localities and, at the same time, enable the City to enhance the services it provides to its customers; and accordingly, increases in building inspection and various permit fees and parking ticket fees are being proposed.

Building Inspection and Various Permit Fees:

In an effort to establish uniformity of permit fees in the Roanoke Valley, building department representatives from the City of Salem, Botetourt County, Roanoke County and the City of Roanoke have agreed upon changes to building inspection and various permit fees that will not only promote consistency between localities, but also establish fees at a level equal to the cost of services provided.

Adjustments to the fee schedule will generate an additional \$178,500.00 in revenues that would enable the department to improve services, work toward becoming self-supporting, and establish uniformity between the City and its surrounding localities.

Parking Ticket Fees:

Downtown Roanoke, Incorporated, has recently received an increasing number of complaints from downtown businesses that parking violators are restricting their business because customers cannot find convenient parking. Some downtown parkers find it less expensive to park overtime on the street or in restricted parking zones and risk a fine,

than to park in one of the City's downtown garages or surface lots. The revised parking ticket fee schedule, estimated to be \$73,200.00, will be used to benefit downtown parking operations, effective September 1, 2001.

The City Manager recommended that Council take the following actions:

Adopt ordinances amending and reordaining City Code Section 20-33.1, Penalties for unlawful parking, and Section 20-89, Same-Requirements; obtaining license plate, tag or decal a condition precedent to discharge of violation, to change certain parking fines; and

Amend the City's Fee Compendium to reflect the changes in building inspection and various permit fees and parking ticket fees as shown on Exhibits A and B attached to the communication.

(For full text, see communication on file in the City Clerk's Office.)

Resolution No. 35321-050701 was adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

TRAFFIC-CITY CODE-BUDGET-FEE COMPENDIUM-LICENCES: Mr. Carder offered the following emergency ordinance amending and reordaining Section 20-33.1, Same-Requirements; obtaining license plate, tag or decal a condition precedent to discharge of violation, of the Code of the City of Roanoke (1979), as amended, the amended section to provide for an increase of certain penalties for unlawful parking within the City of Roanoke:

(#35322-050701) AN ORDINANCE amending and reordaining §20-33.1, Same-Requirements; obtaining license plate, tag or decal a condition precedent to discharge of violation, of the Code of the City of Roanoke (1979), as amended, the amended section to provide for the increase of certain penalties for unlawful parking within the City of Roanoke; and providing for an emergency and for an effective date.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Carder moved the adoption of Ordinance No. 35322-050701. The motion was seconded by Mr. White and adopted by the following vote:

AYES: Council Members Harris, White, Bestpitch, Carder, and Mayor Smith---5.

NAYS: Council Members Hudson and Wyatt-----2.

TRAFFIC-CITY CODE-BUDGET-FEE COMPENDIUM-DISABLED PERSONS-VIRGINIA WESTERN COMMUNITY COLLEGE: Mr. Harris offered the following emergency ordinance amending and reordaining §20-89, Penalties for unlawful parking, of the Code of the City of Roanoke (1979), as amended, the amended section to provide for an increase of certain penalties for unlawful parking within the City of Roanoke, effective September 1, 2001:

(#35323-050701) AN ORDINANCE amending and reordaining Section 20-89, Penalties for unlawful parking, of the Code of the City of Roanoke (1979), as amended, the amended section to provide for the increase of certain penalties for unlawful parking within the City of Roanoke; and providing for an emergency and for an effective date.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35323-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, White, Bestpitch, Carder, and Mayor Smith---5.

NAYS: Council Members Hudson and Wyatt-----2.

CITY CODE-BUDGET-TAXES: Mr. Harris offered the following ordinance providing for an increase in the cigarette tax rate from \$.0085 per cigarette to \$.0135 per cigarette, effective July 1, 2001, and dispensing with the second reading of the ordinance:

(#35324-050701) AN ORDINANCE amending and reordaining §32-190, Levied; amount, Code of the City of Roanoke (1979), as amended, to provide for an increase in the cigarette tax rate from \$.0085 per cigarette to \$.0135 per cigarette; providing for an effective date of July 1, 2001, and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35324-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, and Carder---
-----6.

NAYS: Mayor Smith-----1.

The Mayor advised that since there is no offsetting decrease in other City taxes, the City of Roanoke is taking away more tax dollars from its citizens; therefore, he could not support the increase in the cigarette tax.

CITY CODE-BUDGET-TAXES: Mr. White offered the following emergency ordinance establishing a new transient occupancy tax rate, in the amount of seven per cent of the total amount paid for room rental, effective on and after July 1, 2001:

(#35325-050701) AN ORDINANCE amending and reordaining §32-240, Levied; rate, Code of the City of Roanoke (1979), as amended, to establish a new transient occupancy tax rate; providing for an effective date; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. White moved the adoption of Ordinance No. 35325-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, and Carder---
-----6.

NAYS: Mayor Smith-----1.

INSURANCE-BUDGET-CITY SHERIFF-PENSIONS: Mr. Harris offered the following resolution electing to provide the Enhanced Health Insurance Credit Program as provided in Section 2.1-20.1:7(b), Code of Virginia (1950), as amended, for eligible current and future sheriffs and employees of such sheriffs, when retired, as provided in Article 5, Chapter 1, Title 51.1, Code of Virginia:

(#35326-050701) A RESOLUTION electing to provide the Enhanced Health Insurance Credit Program as provided in §2.1-20.1:7(b), Code of Virginia (1950), as amended, for eligible current and future sheriffs and employees of such sheriffs, when retired, as provided in Article 5, Chapter 1 of Title 51.1, Code of Virginia.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35326-050701. The motion

was seconded by Mr. Carder.

The City Manager and the Director of Finance submitted a joint communication advising that effective July 1, 1999, the General Assembly established a health insurance credit program that allows Virginia Retirement System (VRS) retirees who were last employed as elected Constitutional officers, Sheriffs, Sheriffs' deputies or employees of a local social service board to be eligible for monthly assistance with the cost of their health insurance plan(s); the monthly credit is based on the amount of \$1.50 for each year of service, up to a maximum of \$45.00, with the cost of the credit to be paid by the Commonwealth of Virginia; and criteria for receiving the health credit are:

- VRS retiree;
- 15 years of service credit under VRS;
- Retiree's portion of health insurance premium, without survivorship; and
- Complete Forms VRS-76 and VRS-45.

It was further advised that in addition to the health insurance credit authorized above, localities which participate in the Virginia Retirement System may elect to provide an additional health insurance credit of \$1.00 per month for each full year of the retired member's creditable service, not to exceed a maximum monthly credit of \$30.00, with the cost of this additional health insurance credit to be paid by the locality.

It was explained that the contribution rate to VRS for the Sheriff and deputies as of July 1, 2001, is 12.50 per cent; to add the additional health insurance credit would increase the contribution rate by .20 per cent of payroll or approximately \$14,340.00 annually; and total contribution rate would be 12.70 per cent.

The City Manager and the Director of Finance recommended that the employer paid health credit program for VRS participants be approved, effective July 1, 2001.

(For full text, see communication on file in the City Clerk's Office.)

Resolution No. 35326-050701 was adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

CITY CODE-BUDGET-CITY EMPLOYEES-PENSIONS: Mr. Harris offered the following emergency ordinance providing for a supplemental payment to eligible City of Roanoke Pension Plan retirees to attaining age 65, effective on and after July 1, 2001:

(#35327-050701) AN ORDINANCE amending §22.1-5.1, Retirement supplement, of Chapter 22.1, Pensions and Retirement, of the Code of the City of Roanoke (1979), as amended; providing for an effective date; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35327-050701. The motion was seconded by Mr. Hudson.

The City Manager and the Director of Finance submitted a joint communication advising that Council adopted Resolution No. 33845-051898 on May 18, 1998, providing a monetary supplement to eligible retired members of the City of Roanoke Pension Plan; the supplement was intended to partially defray the cost of health insurance, similar to supplements provided by other municipal retirement systems, including the Virginia Retirement System (VRS); and the supplement was paid as a general benefit funded from the operating department from which the employee retired, rather than from the Pension Trust Fund.

It was further advised that Council adopted Ordinance No. 34799-050900 on May 9, 2000, establishing the \$159.00 supplement as a pension benefit to be paid from the Pension Trust Fund; eligibility requirements for the benefit, effective July 1, 2000, a City employee, less than age 65, retiring with 20 years or more of creditable service; and the City Manager recommended delaying any modification to the health care supplement until a comprehensive review could be completed.

It was explained that currently, 158 retirees receive the \$159.00 monthly supplement; there are an additional 149 retirees that are less than age 65 and retired with 20 years or more of creditable service; of these 149 retirees, 18 received a supplement granted in 1991 from the early retirement incentive plan; and these 18 retirees are receiving between \$260 and \$340 per month to age 65 and will not be entitled to the \$159.00 monthly supplement.

It was also explained that the proposed fiscal year 2001-02 budget recommends that all employees retired as of July 1, 2001, with 20 or more years of service, under age 65, and not receiving the early retirement incentive plan supplement granted in 1991, receive a monthly health care supplement equivalent to 75 per cent of the allowance provided active City employees toward the cost of health

care insurance until age 65”; and this benefit would be funded by payroll contributions to the Pension Plan, at an actuarial estimated cost of 0.19 per cent of payroll, or \$118,150.00 annually.

(For full text, see communication on file in the City Clerk’s Office.)

Ordinance No. 35327-050701 was adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-PENSIONS: Mr. Harris offered the following emergency ordinance providing for a three per cent cost of living raise for City retirees, effective July 1, 2001:

(#35328-050701) AN ORDINANCE providing for certain supplemental benefits under the City of Roanoke Pension Plan to certain members of such Plan and certain of their surviving spouses; providing for an effective date; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35328-050701. The motion was seconded by Mr. Hudson.

The City Manager and the Director of Finance submitted a joint communication advising that eligible members of the City of Roanoke Pension Plan received a 2.4 per cent permanent cost-of- living adjustment (COLA) on July 1, 2000, which was the sixth consecutive COLA provided to eligible retirees; and following discussion with other municipal retirement systems, the following is recommended:

Effective July 1, 2001, and payable July 31, 2001, provide a three per cent permanent increase to a member’s or surviving spouse’s annual retirement allowance. This increase does not apply to any incentive payments made under the Voluntary Retirement Incentive Program established by Ordinance No. 30473-41591, adopted April 15, 1991, or to the retirement supplement established by Ordinance No. 34799-050900, adopted on May 9, 2000. The increase applies to those retirees who retired on or before July 1, 2000.

Approximately 1,323 of 1,376 retirees, or 96 per cent of those receiving

benefits as of March 31, 2001, will be eligible for the increase. The average annual increase in retirement allowance is \$275.00 costing the pension fund an additional \$363,825.00 annually.

The actuarial cost of a three per cent permanent COLA is estimated at \$3.5 million to be funded over the next 20 years through the annual payroll contribution rate.

All City operating funds, along with the Roanoke Regional Airport Commission, School Board, Roanoke Valley Resource Authority, Roanoke Valley Detention Commission, and the Commonwealth of Virginia will assume their pro rata share of cost for funding the COLA for retirees.

The City Manager and the Director of Finance recommended that the three per cent cost of living raise for qualified retirees be approved by Council.

(For full text, see communication on file in the City Clerk's Office.)

Ordinance No. 35328-050701 was adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-CITY EMPLOYEES-PENSIONS: Mr. Harris offered the following resolution in connection with a matching contribution on behalf of City employees to the ICMA Deferred Compensation Plan, effective on and after July 1, 2001:

(#35329-050701) A RESOLUTION relating to payment of a matching contribution of not less than five dollars nor more than twenty-five dollars to the International City Management Association Retirement Corporation Deferred Compensation Plan on behalf of any nontemporary employee of the City who makes a contribution of an equal amount on his or her own behalf to such Plan; and repealing Resolution No. 34797-050900, adopted May 9, 2000.

(For full text of Resolution, see Resolution Book No. 64.)

ACTION: Mr. Harris moved the adoption of Resolution No. 35329-050701. The motion was seconded by Mr. Hudson.

The City Manager and the Director of Finance submitted a joint communication advising that on May 12, 1997, Council authorized the first matching contribution of \$5.00 to the International City Management Association Retirement Corporation (ICMA-RC) deferred compensation plan on behalf of any non-temporary employee of the City who made a contribution of \$5.00 or more per pay period; subsequently, Council increased the employer matching contribution from \$5.00 to \$10.00 for fiscal year 1999, from \$10.00 to \$15.00 the next fiscal year, and from \$15.00 to \$20.00 for fiscal year 2001; and participation increased from 30.8 per cent before the City match program to 75.7 per cent as of April 12, 2000.

The City Manager and the Director of Finance recommended that the employer match be increased to \$25.00 per pay period with the pay check of July 3, 2001.

(For full text, see communication on file in the City Clerk's Office.)

Ms. Angela Norman, 1731 Michael Street, N. W., a City employee, advised that the resolution provides that any non-temporary City employee who makes a contribution of an equal amount to be not less than \$5.00 nor more than \$25.00 shall have the same credited to his or her deferred compensation retirement account. She stated that in the past, certain managerial employees received \$8,500.00 annually which was credited to their deferred retirement plan, however, she did not see the provision defined in the resolution under consideration by Council. She inquired if all City employees will receive the maximum amount of \$25 bi weekly, where is the provision for the \$8,500.00 reported in the budget for certain managerial employees, and if the \$8,500.00 is still applicable to those employees, why is there a continued difference in this allotment which greatly enhances the life style of these employees over rank and file City employees.

The Director of Finance advised that Ms. Norman is referring to the \$8,500.00 contribution to the International City Management Association Deferred Compensation Plan approved by Council for Council-appointed officers. He explained that in fiscal year 2000-01, Council adopted an ordinance establishing contribution rates for its five Council-appointed officers and the measure will continue to be in effect until it is amended by Council.

Resolution No. 35329-050701 was adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

DIRECTOR OF FINANCE-BUDGET: The Director of Finance submitted a certificate advising that funds required for the 2001-02 General Fund, Water Fund, Sewage Treatment Fund, Civic Center Fund, Transportation Fund, Capital Projects Fund, Department of Technology Fund, Materials Control Fund, Management Services Fund, Fleet Management Fund, Risk Management Fund, School Fund, School Food Service Fund and Grant Fund budgets will be available for appropriation.

(For full text, see certificate on file in the City Clerk's Office.)

ACTION: Without objection by Council, the Mayor advised that the certificate would be received and filed.

BUDGET: Mr. White offered the following emergency ordinance adopting the annual General Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002, in the total amount of \$191,346,097.00:

(#35330-050701) AN ORDINANCE adopting the annual General Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. White moved the adoption of Ordinance No. 35330-050701. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Bestpitch, Carder, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt abstained from voting inasmuch as she is employed by the Roanoke City School System and the ordinance appropriates funds to Roanoke City Public Schools.)

BUDGET-WATER RESOURCES: Mr. Harris offered the following emergency ordinance adopting the annual Water Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002, in the total amount of \$13,953,658.00:

(#35331-050701) AN ORDINANCE adopting the annual Water Fund

Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35331-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Bestpitch, Carder, and Mayor Smith-----6.

NAYS: Council Member Wyatt-----1.

SEWERS AND STORM DRAINS-BUDGET: Mr. Harris offered the following emergency ordinance adopting the annual Sewage Treatment Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002, in the total amount of \$10,841,945.00:

(#35332-050701) AN ORDINANCE adopting the annual Sewage Treatment Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35332-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-ROANOKE CIVIC CENTER: Mr. Harris offered the following emergency ordinance adopting the annual Civic Center Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002, in the total amount of \$4,536,814.00:

(#35333-050701) AN ORDINANCE adopting the annual Civic Center Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35333-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-TRANSPORTATION FUND: Mr. Hudson offered the following emergency ordinance adopting the annual Transportation Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002, in the total amount of \$2,043,043.00:

(#35334-050701) AN ORDINANCE adopting the annual Transportation Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Hudson moved the adoption of Ordinance No. 35334-050701. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-CAPITAL IMPROVEMENTS PROGRAM: Mr. Harris offered the following emergency ordinance adopting the annual Capital Projects Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002, in the amount of \$2,150,000.00.

(#35335-050701) AN ORDINANCE adopting the annual Capital Projects Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35335-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder,

and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-CITY INFORMATION SYSTEMS: Mr. White offered the following emergency ordinance adopting the annual Department of Technology Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002, in the amount of \$4,208,276.00.

(#35336-050701) AN ORDINANCE adopting the annual Department of Technology Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. White moved the adoption of Ordinance No. 35336-050701. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-GENERAL SERVICES: Mr. Harris offered the following emergency ordinance adopting the annual Materials Control Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002, in the total amount of \$93,052.00:

(#35337-050701) AN ORDINANCE adopting the annual Materials Control Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35337-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-MANAGEMENT AND BUDGET: Mr. Harris offered the following emergency ordinance adopting the annual Management Services Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002, in the total amount of \$124,552.00:

(#35338-050701) AN ORDINANCE adopting the annual Management Services Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35338-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-FLEET MAINTENANCE FUND: Mr. Harris offered the following emergency ordinance adopting the annual Fleet Management Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002, in the total amount of \$5,996,486.00:

(#35339-050701) AN ORDINANCE adopting the annual Fleet Management Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35339-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-RISK MANAGEMENT FUND: Mr. Harris offered the following emergency ordinance adopting the annual Risk Management Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002, in the total amount of \$11,063,159.00:

(#35340-050701) AN ORDINANCE adopting the annual Risk Management Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35340-050701. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

BUDGET-SCHOOLS: Mr. Harris offered the following emergency ordinance adopting the annual School Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002, in the total amount of \$99,170,021.00:

(#35341-050701) AN ORDINANCE adopting the annual School Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35341-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Bestpitch, Carder, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt abstained from voting inasmuch as she is employed by the Roanoke City School System and the ordinance appropriates funds to Roanoke City Public Schools.)

BUDGET-SCHOOLS: Mr. Harris offered the following emergency ordinance adopting the annual School Food Service Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002, in the total amount of \$4,521,314.00:

(#35342-050701) AN ORDINANCE adopting the annual School Food Service Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35342-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Bestpitch, Carder, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Wyatt abstained from voting inasmuch as she is employed by the Roanoke City School System and the ordinance appropriates funds to Roanoke City Public Schools.)

BUDGET-GRANTS: Mr. Harris offered the following emergency ordinance adopting a portion of the annual Grant Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002, in the total amount of \$317,926.00:

(#35343-050701) AN ORDINANCE adopting a portion of the annual Grant Fund Appropriation of the City of Roanoke for the fiscal year beginning July 1, 2001, and ending June 30, 2002; and declaring the existence of an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35343-050701. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

POLICE DEPARTMENT-PAY PLAN-BUDGET-FIRE DEPARTMENT-CITY EMPLOYEES: Mr. Harris offered the following emergency ordinance:

(#35344-050701) AN ORDINANCE to adopt and establish a Pay Plan for officers and employees of the City, effective July 1, 2001; providing for certain salary

adjustments and merit increases; authorizing annual salary increments for certain officers and employees for use of private motor vehicles; authorizing annual salary increments for sworn police officers assigned to the Criminal Investigation Division; authorizing annual salary increments for certain members of the Fire-Emergency Medical Services Department who are certified as Emergency Medical Technicians; authorizing annual salary increments for certain members of the Fire-Emergency Medical Services Department who are members of the Regional Hazardous Materials Response Team; providing for continuation of a police career enhancement program; providing for continuation of a Firefighter/Emergency Medical Technician merit pay program; providing for payment of a monthly stipend to certain board and commission members; repealing Ordinance No. 34794-050900, adopted May 9, 2000, to the extent of any inconsistency; and providing for an emergency and effective date.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35344-050701. The motion was seconded by Mr. Hudson.

Ms. Angela Norman, 1731 Michael Street, N. W., a City employee, advised that the ordinance provides for certain salary adjustments, and a merit increase itemizes those situations that may necessitate an employee receiving additional remuneration, and provides the City Manager with the autonomy to approve bonuses and/or salary adjustments as she deems appropriate. She stated that Council has been overly careful in its efforts not to micro-manage; however, bonuses and additional salary adjustments represent a cost factor to taxpayers. She added that the City Manager is the City's gate keeper, but City Council is the citizens' watch dog over expenditures of tax dollars; therefore, she suggested that Council monitor and request detailed reports with regard to all bonuses and/or salary adjustments above and beyond normal merit increases.

Resolution No. 35344-050701 was adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

CITY CLERK-BUDGET: Mr. Harris offered the following emergency ordinance authorizing and approving the establishment of a new position entitled Assistant Deputy Clerk in the Office of the City Clerk, effective July 1, 2001:

(#35345-050701) AN ORDINANCE authorizing and approving the establishment of a new position entitled Assistant Deputy Clerk in the Office of the City Clerk; providing for an effective date; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

ACTION: Mr. Harris moved the adoption of Ordinance No. 35345-050701. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Harris, Hudson, White, Wyatt, Bestpitch, Carder, and Mayor Smith-----7.

NAYS: None-----0.

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

PAY PLAN-CITY EMPLOYEES: Council Member Hudson requested a briefing by the City Manager in regard to the City's Pay and Classification Plan.

ROANOKE MEMORIAL HOSPITALS-SPORTS COMPLEX-TRAFFIC: Council Member Harris called attention to a concern expressed by a citizen with regard to the appearance of unlimited parking along the street that borders River's Edge Sports Complex from Franklin Road to Carilion Roanoke Memorial Hospital. He requested that the matter be referred to the City Manager for investigation and report to Council.

OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS: NONE.

There being no further business, the Mayor declared the meeting in recess at 5:30 p.m., to be reconvened on Thursday, May 10, 2001, at 12:00 noon, for the purpose of holding the Second Leadership Summit at the Boxtree Lodge which is located off of Hardy Road on Hammond Drive in Roanoke County, said meeting to be hosted by Roanoke County.

The regular meeting of Roanoke City Council which was declared in recess on Monday, May 7, 2001, until 12:00 noon, on Thursday, May 10, 2001, at the Boxtree Lodge, located off Hardy Road on Hammond Drive, Vinton, Virginia, was called to order by Mayor Ralph K. Smith.

PRESENT: Council Members W. Alvin Hudson, Jr., Linda F. Wyatt,

William D. Bestpitch and Mayor Ralph K. Smith-----4.

ABSENT: Council Members Willilam H. Carder, C. Nelson Harris and William White, Sr.-----3.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; James D. Grisso, Director of Finance; and Stephanie M. Moon, Deputy City Clerk.

OTHERS PRESENT: Delegate C. Richard Cranwell, Virginia House of Delegates; Delegate A. Victor Thomas, Virginia House of Delegates; Chairman H. Odell “Fuzzy” Minnix, Roanoke County Board of Supervisors; Board Member Joseph B. Church, Roanoke County Board of Supervisors; Board Member Bob L. Johnson, Roanoke County Board of Supervisors; Board Member Harry C. Nickens, Roanoke County Board of Supervisors; Chairman Kirby E. Richardson, Bedford County Board of Supervisors; Board Member Bobby G. Pollard, Bedford County Board of Supervisors; Board Member William G. Loope, Botetourt County Board of Supervisors; Board Member Wanda C. Wingo, Botetourt County Board of Supervisors; Council Member Robert R. Altice, Vinton Town Council; Council Member Bradley E. Grose, Vinton Town Council; Council Member Thomas A. Rotenberry, Vinton Town Council; Mayor Carl E. Tarpley, Jr., City of Salem; Jennifer Faulkner, Aide representing Congressman Bob Goodlatte; Allison Baird, Aide representing Senator John S. Edwards; Brian Shepherd, Aide to Delegate A. Victor Thomas; Elmer C. Hodge, Roanoke County Administrator; William C. Rolfe, Bedford County Administrator; Gerald A. Burgess, Botetourt County Administrator; Richard E. Huff, II, Franklin County Administrator; Forest Jones, Salem City Manager; B. Clayton Goodman, III, Vinton Town Manager; George C. Snead, Jr., Roanoke City Assistant City Manager for Operations; Christopher Slone, Roanoke City Public Information Officer; Paul M. Mahoney, Roanoke County Attorney; John M. Chambliss, Jr., Roanoke County Assistant Administrator for Human Resources; Diane D. Hyatt, Roanoke County Finance Director; Dan O’Donnell, Roanoke County; Kathi Searce, Roanoke County; Mary Allen, Clerk, Roanoke County Board of Supervisors; Brenda Holton, Deputy Clerk, Roanoke County Board of Supervisors; Beth Doughty, Executive Director, Roanoke Regional Chamber of Commerce; Philip Sparks, Executive Director, Roanoke Valley Economic Development Partnership; Wayne Strickland, Executive Director, Roanoke Valley-Alleghany Regional Commission; and Joyce Waugh, Roanoke Regional Chamber of Commerce.

The Invocation and the Pledge of Allegiance to the Flag of the United States of America was led by Chairman Minnix.

Mayor Smith advised that the purpose of the meeting is to hold the Second Greater Roanoke Valley Leadership Summit of the Roanoke Valley governing bodies, which was agreed upon at a meeting held on January 8, 2001, hosted by the City of Roanoke.

At this point, Mayor Smith relinquished the chair to Chairman Minnix.

The Chairman welcomed everyone to the meeting, and expressed appreciation for use of the recreation center at Boxtree Lodge.

The meeting was declared in recess at 12:35 p.m., for lunch.

The business session was reconvened at 1:00 p.m.

Chairman Minnix asked for a moment of silence in recognition of Wayne Compton, Roanoke County Commissioner of the Revenue, who passed away on Tuesday, May 9, 2001.

In connection with the agenda, Mr. Minnix advised of two additional items relating to Port of Entry and Regional Identity.

REVIEW OF THE METROPOLITAN STATISTICAL AREA (MSA) DESIGNATION AS A RESULT OF THE RECENT CENSUS: Mr. Strickland presented a briefing on proposed changes to the Metropolitan Statistical Area designations as a result of the recent census.

(For full text, see data on file in the City Clerk's Office.)

Chairman Minnix stated that a study committee should be established; government officials should submit three names selected from elected governmental officials, administrative officials and citizens; and forward the names to the Clerk of the Roanoke County Board of Supervisors.

There being no further discussion, Chairman Minnix expressed appreciation to Mr. Strickland for his remarks.

ECONOMIC DEVELOPMENT: Ms. Doughty presented a briefing on a regional economic development strategy focusing on technology. She commented on the following ten reasons why being a member of the Roanoke Regional Chamber of Commerce is a good investment: new business contacts, referrals, legislative action,

community information, professional development, small business assistance, health insurance, leadership training, workforce development, and publicity and exposure.

Ms. Doughty advised that the Fifth Planning District Regional Alliance was established in 1997 to promote cooperation among jurisdictions and to improve economic competitiveness of the region; the Alliance has been the recipient of approximately \$1 million from Virginia's Regional Competitiveness Program; and has provided seed money for more than 17 multi-jurisdictional projects, including the Blue Ridge Parkway Interpretative Center, Pulaski Commerce Park, Greenfield Education & Training Center, Roanoke Higher Education Center, the Japanese Saturday School, regional sports marketing effort of the Roanoke Valley Convention and Visitors Bureau, redevelopment of the old CSX property in the Town of Clifton Forge, and the Workforce Development Center in Franklin County.

She further advised that at its March 1, 2001 meeting, the Alliance Board voted unanimously to pursue the development of an economic strategy for the region and its neighbors based upon Roanoke Metropolitan Statistical Area data; and the latest figures on adjusted gross income for married couples illustrated that while Virginia experienced an 18.3% increase in adjusted gross income between 1990 and 1998, the region had an increase of 7.2%, and the 1998 per capita income for Virginia was \$29,957.00, while the per capita income for the region was \$25,117.00.

Ms. Doughty pointed out that the Regional Alliance seeks to create a "road map" to prosperity for the region; the process should identify the critical steps necessary to prosper and grow in the future; and a committee of the Alliance consisting of representatives from the public and private sectors met and are developing a Request for Proposals for a "business strategy," which identifies the need and looks at possibilities with a strong focus on technology but does not overlook manufacturing and service sectors.

In closing, Ms. Doughty commented that the region will have a Road Map to the future -- a road map to share and integrate the work of governments, organizations, and agencies; the region will identify action steps needed to achieve prosperity and to move the strategy forward; the region will have a process for monitoring progress in implementation; and the Regional Alliance will have a guide for using regional competitiveness funds.

Chairman Minnix expressed appreciation to Ms. Doughty for her remarks.

PORT OF ENTRY: Mr. Sparks presented a briefing with regard to an application for a Port of Entry, advising that currently the New River Valley Port of Entry has its boundaries in the general area encompassing the Dublin Airport in Dublin, Virginia;

and the Dublin International Airport serves as the Office for the U. S. Customs Official serving the Port of Entry and the Foreign Trade Zone.

He further advised that the advantage for local companies in the New River Valley is that they can have local clearance and inspection of cargo, as well as speedy resolution of any problems locally, allowing companies participating to avoid long delays in clearing customs; in some cases, inspection and clearance could take a month or longer, resulting in costly delays for companies waiting for critical manufacturing parts or equipment; and by having the Port of Entry boundaries expanded to include the Greater Roanoke Region, the companies will receive the same benefits as those in the New River Valley.

He commented that there is already a bonded warehouse under development on Municipal Road, a short distance from the Roanoke Regional Airport; and with the Roanoke Region being included in the Port of Entry, companies could immediately forward shipments directly via “paired entry” utilizing Customs Port #1481 for clearance and have shipments enter Roanoke; and within two weeks, an announcement to be made to include Bedford County.

Chairman Minnix expressed appreciation to Mr. Sparks for his remarks.

REGIONAL IDENTITY: The Chairman asked for comments with regard to holding regular meetings to discuss mutual interests of the local governing bodies.

Ms. Burcham commented that correlation of cities and counties would strengthen representation in Richmond, and the localities should work together to speak with one voice when addressing legislation.

Other comments were to continue meeting, offer something concrete instead of in theory, pool resources, and continue to have open dialogue in order to work together as a region.

Ms. Wyatt agreed with the abovestated comments, but expressed concern with regard to research/trends in larger communities, and suggested that additional staff be hired to investigate where the world is going so that the localities could stop playing “catch up”.

Since it was the consensus of the group to continue to meet on a regular basis, Vice-Chairman Kirby Richardson, Bedford County Board of Supervisors, offered to host the third Greater Roanoke Valley Leadership Summit on Thursday, July 12, 2001, in Bedford, Virginia. It was agreed upon that the next Leadership Summit will be held in Bedford, Virginia, and information will be forwarded at a later date as to time and location.

There being no further business, Chairman Minnix adjourned the meeting at 1:45 p.m.

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

Ralph K. Smith
Mayor

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

May 21, 2001

2:00 p.m.

The Council of the City of Roanoke met in regular session on Monday, May 21, 2001, at 2:00 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended, and pursuant to Resolution No. 35270-040201 adopted on April 2, 2001.

PRESENT: Council Members William White, Sr., Linda F. Wyatt, William D. Bestpitch, William H. Carder, C. Nelson Harris and Mayor Ralph K. Smith-----
-----6.

ABSENT: Council Member W. Alvin Hudson-----1.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; Gary Tegenkamp, Assistant City Attorney; Ann A. Shawver, Manager of Accounting Services; and Mary F. Parker, City Clerk.

The meeting was opened with a prayer by The Reverend Frank W. Feather, Pastor, Forest Park Baptist Church of Roanoke.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

PRESENTATIONS

ACTS OF ACKNOWLEDGMENT: The Mayor welcomed a delegation of Ukrainian professionals who are visiting the United States and focusing on environmental issues, with an interest in learning more about how industry and government work together to improve the environment and to gain information about the toxic release inventory system being implemented in the United States.

PROCLAMATIONS-HOSPITALS: The Mayor presented a Proclamation declaring Saturday, May 26, 2001 as Lifeguard 10 Day in the City of Roanoke.

(For full text, see Proclamation on file in the City Clerk's Office.)

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately. He called specific attention to three requests for Closed Meetings to discuss the performance of two Council-Appointed officers; to discuss acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City; and to discuss personnel matters with regard to vacancies on various authorities, boards, commissions and committees appointed by Council. The Mayor requested an additional closed session to discuss a personnel matter in regard to employment of a person by the City for a specific purpose, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

COMMITTEES-CITY COUNCIL: A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by the Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended, was before the body.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss personnel matters relating to vacancies on various authorities, boards, commissions and committees appointed by the Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

COMMITTEES-CITY COUNCIL: A communication from Council Member

C. Nelson Harris, Chair, City Council Personnel Committee, requesting that Council convene in a Closed Meeting to discuss a personnel matter with regard to the performance of two Council-Appointed officers, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended, was before the body.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris moved that Council concur in the request to convene in a Closed Meeting to discuss a personnel matter with regard to the performance of two Council-Appointed officers, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

PURCHASE/SALE OF PROPERTY-CITY MANAGER: A communication from the City Manager requesting that Council convene in a Closed Meeting to discuss a matter with regard to acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.1-344 (A)(3), Code of Virginia (1950), as amended, was before the body.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris moved that Council concur in the request of the City Manager to convene in a Closed Meeting to discuss a matter with regard to acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.1-344 (A)(3), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

INDUSTRIES-SALE/PURCHASE OF PROPERTY-CITY PROPERTY: A communication from the City Manager advising that during the grading and development of three new sites (Tracts A, B and F), in the Roanoke Centre for Industry and Technology (RCIT), two adjoining property owners have requested small portions of real property to be conveyed to adjoining property owners; i.e.: Blue Hills Golf Corp. and Anderson Wade Douthat, et al, was before the body.

The City Manager recommended that she be authorized to advertise a public hearing on the disposition of surplus property and, lacking any comments to the contrary, execute all necessary agreements and other documents to convey real property owned by the City of Roanoke (Grantee is to be responsible for all title work, surveying, plat preparation, and preparation of legal documents), subject to certain terms and conditions acceptable to the City Manager, as follows:

Blue Hills Golf Corp., approximately 14,000 square feet of property; and

Anderson Wade Douthat, et al, approximately 12,000 square feet of property.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris moved that Council concur in the recommendation of the City Manager. The motion seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

COMMITTEES-ROANOKE ARTS COMMISSION: A communication from Lu Jean Bedard tendering her resignation as a member of the Roanoke Arts Commission, effective immediately, was before Council.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris moved that the communication be received and filed and that the resignation be accepted. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

COMMITTEES-CITY MANAGER-OATHS OF OFFICE-HOUSING/AUTHORITY-COMMUNITY PLANNING-ROANOKE ARTS COMMISSION: The following reports of qualification were before Council:

Rolanda A. Johnson as Assistant City Manager, effective May 1, 2001;

Brenda A. Powell as a member of the Fair Housing Board for a term ending March 31, 2004; and

Alfred T. Dowe and Richard A. Rife as members of the City Planning Commission for terms ending December 31, 2004.

(See Oaths or Affirmations of Office on file in the City Clerk's Office.)

Mr. Harris moved that the reports of qualification be received and filed. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

COUNCIL: A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss a personnel matter relating to employment of a person by the City for a specific public purpose, pursuant to Section

2.1-344(A)(1), Code of Virginia (1950), as amended, was before the body.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss a personnel matter relating to employment of a person by the City for a specific public purpose, pursuant to Section 2.1-344(A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

REGULAR AGENDA

HEARING OF CITIZENS UPON PUBLIC MATTERS:

INDUSTRIES-ECONOMIC DEVELOPMENT: Camille Lounds, Director, Virginia Highlands Film Office, advised that the film industry is a \$50 billion per year business. She stated that her office is working on four movies for the area, following approval by the publicity departments of the production agencies, announcements will be made; and she is currently negotiating with Vogue Magazine on a fashion photo shoot to take place in the City Market area. She advised that the economic impact by the film industry is immense and a major feature film could generate \$100,000.00 per day into the economy of the Roanoke Valley, and she has visited abroad on several occasions promoting the Commonwealth of Virginia to the film industry. She explained that three regional film offices will be established in Virginia: a state office, a central office and a regional office. In summary, she stated that in the near future, she will submit a funding request to the City of Roanoke.

Without objection by Council, the Mayor advised that the remarks of Ms. Lounds would be received and filed.

PETITIONS AND COMMUNICATIONS:

BUDGET-GRANTS-SCHOOLS: A communication from the Roanoke City School Board requesting that Council close-out 46 school grants that have been

completed, with outlays totaling \$11,736,173.02, was before the body.

A report of the Director of Finance recommending that Council concur in the request, was also before the body.

Mr. Harris moved that Council concur in the request. The motion was seconded by Mr. Carder and adopted.

BUDGET-SCHOOLS: A communication from the Roanoke City School Board requesting that Council appropriate the following funds:

\$780,210.00 from the 2000-01 Capital Maintenance and Equipment Replacement Fund, to provide monies for textbook adoptions, administrative technology requests, school bus replacement, facility maintenance equipment, school plants radios, school playground improvements, maintenance vehicle replacement, cafeteria table replacement, roof replacement, and elementary school improvement.

\$36,459.00 for the Summer Youth Employment Program for the summer of 2001, to provide training and hands-on experience for disadvantaged or handicapped youth from the inner City, with the goal of enhancing employment potential, developing employment competencies, and earning academic credit toward a high school diploma, 100 per cent to be reimbursed by Federal funds.

\$5,000.00 for the Western Virginia Regional Science Fair; participating school districts contribute toward the cost of the fair, with a local match cost to Roanoke City; and the additional appropriation request represents fees received for the continuing program.

A report of the Director of Finance recommending that Council concur in the request was also before the body.

(For full text, see communication and report on file in the City Clerk's Office.)

Mr. Harris offered the following emergency ordinance:

(#35346-052101) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General and School Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Harris moved the adoption of Ordinance No. 35346-052101. The motion seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Wyatt, Carder, Harris, and Mayor Smith-----5.

NAYS: None-----0.

(Council Member Bestpitch was out of the Council Chamber when the vote was recorded.) (Council Member Hudson was absent.)

BONDS-VIRGINIA TECH-LOANS: A communication from Charles P. Shimer, representing the Industrial Development Authority of Montgomery County, requesting concurrence in a resolution adopted by the Authority and approval of a loan for the benefit of Virginia Tech Foundation, Inc., to assist in financing a portion of the cost of acquiring a two-acre parcel of land and construction of an 11,000 square foot building located at 121 Duke of Gloucester Street in the City of Roanoke to be owned by the Foundation and used by its WVTF Radio Station, with other portions of the proceeds to be used to finance facilities in Blacksburg and Alexandria; was before Council.

(For full text, see communication and supporting documents on file in the City Clerk's Office.)

Mr. Harris offered the following resolution:

(#35347-052101) A RESOLUTION concurring in the Montgomery Authority Resolution and approving the issuance of Bonds through the Industrial Development Authority of Montgomery County, in a principal amount not to exceed \$2,700,0000.00 with respect to the Roanoke Project, for the benefit of the Virginia Tech Foundation, Inc., as required by Section 147(f) of the Internal Revenue Code and Sections 15.2-4905 and 15.2-4906 of the Virginia Code, to assist in the financing of the Roanoke Project.

(For full text of Resolution, see Resolution Book No. 64.)

Mr. Harris moved the adoption of Resolution No. 35347-052101. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris,

and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: None.

ITEMS RECOMMENDED FOR ACTION:

BUDGET-SEWERS AND STORM DRAINS: The City Manager submitted a communication advising that construction of the Roanoke River Interceptor Sewer Replacement project was completed in June 2000 and portions of the old sewer line remain in service; the City's contract with Black & Veatch, Consulting Engineers, remains open to determine if and how any of the old sewer line should continue to be used in connection with the new interceptor line; and it is necessary to perform a television inspection of the old sewer line to locate any remaining service connections, locate improper connections and to assess the condition of the pipe for possible rehabilitation at a future time.

It was further advised that an amendment has been negotiated with Black & Veatch, in the amount of \$75,000.00, to prepare bidding documents for television inspection and to provide an evaluation of the feasibility of rehabilitating the old sewer line.

The City Manager recommended that she be authorized to execute Amendment No. 5 with Black & Veatch, in the amount of \$75,000.00; and that Council authorize transfer of \$75,000.00 from Roanoke River Interceptor, Account No. 003-056-8485, to a new account entitled, Roanoke River Interceptor Sewer Rehabilitation.

(For full text, see communication on file in the City Clerk's Office.)

Mr. White offered the following emergency ordinance:

(#35348-052101) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Sewage Treatment Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. White moved the adoption of Ordinance No. 35348-052101. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

Mr. White offered the following resolution:

(#35349-052101) A RESOLUTION authorizing the City Manager's issuance of Amendment No. 5 to the City's contract with Black & Veatch to perform a television inspection of the old sewer line to locate any remaining service connections, locate improper connections and to assess the condition of the pipe for possible rehabilitation at a future time for the Roanoke River Interceptor Sewer Project.

(For full text of Resolution, see Resolution Book No. 64.)

Mr. White moved the adoption of Resolution No. 35349-052101. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

BUDGET-SIDEWALK/CURB AND GUTTER: The City Manager submitted a communication advising that H. & S. Construction Company was awarded a contract, in the amount of \$644,350.00 on a unit price basis at the June 22, 2000 meeting of Council, to provide new sidewalk and curbs on various streets to be designated within the City; and two blocks located on the south side of Cove Road, N. W. were designated in the contract and have been completed.

It was further advised that the contract is still open and the contractor has agreed to unit prices in Phase V-A to complete the remaining portion of the south

side of Cove Road, N. W. between Abbott Street and Hershberger Road; and construction should begin as soon as all property rights are acquired by the City.

The City Manager recommended that she be authorized to execute Change Order No. 1, in the amount of \$75,000.00 and 90 additional days of contract time, with H. & S. Construction Company for completion of curb, gutter and sidewalk on the south side of Cove Road, N. W. between Abbott Street and Hershberger Road; and that Council appropriate \$75,000.00 to Account No. 008-052-9608-9003, New Concrete Sidewalks, Entrances and Curb – Phase V-A.

(For full text, see communication on file in the City Clerk's Office.)

Mr. White offered the following emergency ordinance:

(#35350-052101) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. White moved the adoption of Ordinance No. 35350-052101. The motion was seconded by Ms. Wyatt and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

Mr. White offered the following emergency ordinance:

(#35351-052101) AN ORDINANCE authorizing the City Manager's issuance of Change Order No. 1 to the City's contract with H. & S. Construction Company for the completion of curb, gutter and sidewalk on the south side of Cove Road, N. W. between Abbott Street and Hershberger Road for the New Concrete Sidewalks, Entrances and Curb Phase V-A Project; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. White moved the adoption of Ordinance No. 35351-052101. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

BUDGET-BRIDGES: The City Manager submitted a communication advising that Memorial Bridge has substantially deteriorated since the 1998 inspection and currently needs more than \$1,000,000.00 in concrete repairs and rehabilitation; engineering services are required to detail the extent of the repairs; after proper advertisement, consultant qualification proposals were received on March 2, 2001; a Selection Committee selected the firm of Hayes, Seay, Mattern & Mattern, Inc., as the most qualified firm for the proposed work; and a consultant contract has been negotiated in the amount of \$179,850.00.

The City Manager recommended that she be authorized to execute an Engineering Services Contract, in the amount of \$179,850.00, with Hayes, Seay, Mattern & Mattern, Inc., to provide preliminary design/investigation, final design and construction administration for rehabilitation of Memorial Bridge; and that Council authorize transfer of \$200,000.00 from Hunter Viaduct, Account No. 008-052-9636 to a new account to be established by the Director of Finance, entitled "Rehabilitation of Memorial Bridge".

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following emergency ordinance:

(#35352-052101) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Harris moved the adoption of Ordinance No. 35352-052101. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

Mr. Harris offered the following resolution:

(#35353-052101) A RESOLUTION authorizing a contract with Hayes, Seay, Mattern & Mattern, Inc., for engineering services for providing preliminary design/investigation, final design, and contract administration for the rehabilitation of Memorial Bridge.

(For full text of Resolution, see Resolution Book No. 64.)

Mr. Harris moved the adoption of Resolution No. 35353-052101. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

BUDGET-CITY EMPLOYEES-PERSONNEL LAPSE FUNDS: The City Manager submitted a communication advising that the adopted budget for fiscal year 2001 includes an estimated \$1,949,325.00 in salary lapse; salary lapse is the difference in budgeted City employee salaries and actual salaries and is created through normal employee attrition and the managed hiring and re-engineering efforts undertaken during the year by City staff; at year-end, salary lapse created in departments is credited against the budgeted total salary lapse figure and any excess salary lapse generated is spread throughout the various departments to cover annual payroll accrual and operational needs; and for fiscal year 2001, total estimated salary lapse is \$2,512,709.00.

The City Manager recommended that Council authorize the transfer of salary lapse funds between accounts as listed in Attachment A to the report.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Carder offered the following emergency ordinance:

(#35354-052101) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Carder moved the adoption of Ordinance No. 35354-052101. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

WRABA-SPECIAL SERVICE DISTRICT: The City Manager submitted a communication advising that the Williamson Road Area Business Association, Inc., (WRABA) entered into a contract to administer Special Service District (SSD) funds for the area on June 20, 1996 and the agreement has been renewed yearly; in the contract, WRABA is limited to using 60 per cent of Special Service District funds on overhead expenses; and when the contract was renewed in 2000, in a response to a request from the Association to remove the 60 per cent limitation, the City Manager suggested that the organization be polled to determine the overall support for the change by its membership.

It was further advised that 237 Special Service District paying members of the Williamson Road area were mailed a letter on February 6, 2001, requesting their permission to remove the 60 per cent limitation and it was clearly noted in the letter that if the ballot was not returned, it would be considered a vote for removal; each entity was given until March 6, 2001, to return the ballot; as of March 7, 2001, 47 returned the ballots, with only 19 voting to keep the restriction; accordingly, an amendment to the contract has been prepared to eliminate the 60 per cent restriction.

The City Manager recommended that she be authorized to execute an amendment to the present agreement dated June 20, 1996, between the City of Roanoke and the Williamson Road Area Business Association, Inc., (WRABA) to eliminate the restriction on the amount of Special Service District funds that may be expended on overhead by the Williamson Road Area Business Association.

(For full text, see communication on file in the City Clerk's Office.)

Ms. Wyatt offered the following emergency ordinance:

(#35355-052101) AN ORDINANCE authorizing execution of Amendment No. 1 to the Williamson Road Area Service District Services Agreement between the City

of Roanoke and the Williamson Road Area Business Association, Inc. (WRABA), which will delete the restriction in such Agreement regarding overhead expenses; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Ms. Wyatt moved the adoption of Ordinance No. 35355-052101. The motion was seconded by Mr. White and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

COURT COMMUNITY CORRECTIONS BOARD: The City Manager submitted a communication advising that the General Assembly amended state law, Code of Virginia (1950), as amended, Section 53.1-183, effective July 1, 2001, to change the required membership of the Regional Community Criminal Justice Board; and the statute no longer requires that a person from each governing body or city or county manager or deputy city or county manager be appointed, but only that a person representing the governing body be appointed.

It was further advised that the current Board is changed only in that Judge Weckstein will replace Judge Honts, Chief Lavinder of the Roanoke County Police Department has been added, and Chief Gaskins will replace George C. Snead as the City's representative; and the Board will be comprised of up to 25 members.

The City Manager recommended that Council adopt a resolution and appoint A. L. Gaskins to the Court Community Corrections Regional Community Criminal Justice Board and reconstitute the Board with the appointments as set forth in the resolution.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following resolution:

(#35356-052101) A RESOLUTION of the Council of the City of Roanoke, establishing, by joint action of the Boards of Supervisors of the Counties of Alleghany, Bath, Botetourt, Craig, Roanoke and Rockbridge, and the City Councils

of the Cities of Buena Vista, Covington, Lexington, Roanoke, and Salem, the membership of the Court-Community Corrections Regional Community Criminal Justice Board to serve the region composed of those Counties and Cities.

(For full text of Resolution, see Resolution Book No. 64.)

Mr. Harris moved the adoption of Resolution No. 35356-052101. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

CITY ATTORNEY:

BRIDGES: The City Attorney submitted a written report advising that by letter dated April 16, 2001, the City Manager concurred in the recommendation of the Bid Committee that Council accept the bid of Lanford Brothers Co., Inc., for making various repairs to four bridges within the City; and consistent with the recommendation, Council adopted a measure which accepted the bid and authorized the City Manager to execute appropriate documents for the work.

It was further advised that due to an error in drafting, Council's action was taken in the form of a resolution; however, the City Charter requires that the action be taken by ordinance; whereupon, the City Attorney recommended that Council adopt an ordinance retroactive to April 16, 2001.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following emergency ordinance:

(#35357-052101) AN ORDINANCE repealing and replacing Resolution No. 35285-041601; accepting the bid of Lanford Brothers Company, Incorporated, for making various repairs to four bridges within the City, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; establishing an effective date; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Harris moved the adoption of Ordinance No. 35357-052101. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

PARKS AND RECREATION: The City Attorney submitted a written report advising that by letter dated April 16, 2001, the City Manager concurred in a recommendation of the Bid Committee that Council accept the bid of Breakell, Inc., for certain improvements to City park softball/baseball fields; and consistent with the recommendation, Council adopted a measure which accepted the bid and authorized the City Manager to execute appropriate documents for the work.

It was further advised that due to an error in drafting, Council's action was taken in the form of a resolution; however, the City Charter requires that the action be taken by ordinance; whereupon the City Attorney recommended that Council adopt an ordinance retroactive to April 16, 2001.

(For full text, see report on file in the City Clerk's Office.)

Mr. Carder offered the following emergency ordinance:

(#35358-052101) AN ORDINANCE repealing and replacing Resolution No. 35286-041601; accepting the bid of Breakell, Inc., for making ballfield improvements at two parks within the City, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for such work; establishing an effective date; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Carder moved the adoption of Ordinance No. 35358-052101. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

BUDGET-PURCHASE/SALE OF PROPERTY-RAILSIDE LINEAR WALK: The Assistant City Attorney submitted a written report on behalf of the City Attorney advising that the City has been negotiating for several months with the owners of Official Tax Nos. 1010306 and 1010307, located at 119 and 117 Norfolk Avenue, S. W., respectively, to purchase the property; portions of the property are needed for the City's Railside Linear Park, and the remainder of the property would be used by the City to promote economic development; after protracted negotiations, the property owners have agreed to sell the property to the City for \$636,000.00, and agreed to close on the property and convey same to the City on June 1, 2001, with \$50,000.00 of the purchase price to be disbursed at closing; the property owners would like to retain possession of the building for 150 days after closing, with the balance of the purchase price to be paid upon vacation of the premises; during the hold over period, the property owners essentially would be tenants of the City, and would be required to provide the City with insurance, to continue to pay utilities, and to be responsible for all other things normally expected of a tenant; and during this hold over period, the City could undertake the necessary work that needs to be done on the premises for the Railside Linear Park Project, and the building would be available for the City to show to economic development prospects.

The City Attorney transmitted an ordinance for consideration by Council.

(For full text, see report on file in the City Clerk's Office.)

Mr. Bestpitch offered the following emergency ordinance:

(#35359-052101) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General and Capital Projects Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Bestpitch moved the adoption of Ordinance No. 35359-052101. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, and Harris-----5.

NAYS: None-----0.

(Mayor Smith abstained from voting.) (Council Member Hudson was absent.)

Mr. Bestpitch offered the following ordinance and dispensing with the second reading:

(#35360-052101) AN ORDINANCE authorizing the proper City officials' execution of an Agreement for Purchase and Sale of Real Estate, providing for the City's acquisition of certain property, bearing Official Tax Nos. 1010306 and 1010307, at 119 and 117 Norfolk Avenue, respectively, from Robert E. Zimmerman and Lynn F. Zimmerman, which property is needed by the City for the Railside Linear Park - Phase I Project; approving the purchase price to be paid for such property and authorizing acceptance of a deed conveying such property to the City; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Bestpitch moved the adoption of Ordinance No. 35360-052101. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, and Harris-----5.

NAYS: None-----0.

(Mayor Smith abstained from voting.) (Council Member Hudson was absent.)

REPORTS OF COMMITTEES:

BUDGET -WATER RESOURCES-SEWERS AND STORM DRAINS: Vice-Mayor William H. Carder, Member, Bid Committee, presented a written report on behalf of the Committee, advising that there are two drop inlets on Yellow Mountain Road, near the intersection with Garden City Boulevard, that collect stormwater runoff from Yellow Mountain Road; the inlets release the collected water onto private properties which do not drain naturally, therefore, stormwater ponds near homes and businesses located on the properties; in order to redirect the runoff, the existing storm drain system on Yellow Mountain Road needs to be connected to another existing storm drain system; and construction plans have been completed to connect the inlets on Yellow Mountain Road to an existing storm drain system on Melcher Street.

The Bid Committee recommended that the City Manager be authorized to enter into a contractual agreement with Virginia Infrastructure, Inc., in the amount of \$80,236.00 and 120 consecutive calendar days to construct the Garden City Storm Drain Project Phase 7; that Council authorize transfer of \$89,000.00 from Public Improvement Bond Series 1996, Account No. 008-052-9701-9176, to Garden City Phase 7, Account No. 008-052-9693; and reject all the other bids received by the City.

The City Manager submitted a statement of concurrence in the recommendation of the Bid Committee.

(For full text, see report on file in the City Clerk's Office.)

Mr. Carder offered the following emergency ordinance:

(#35361-052101) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Carder moved the adoption of Ordinance No. 35361-052101. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

Mr. Bestpitch offered the following emergency ordinance:

(#35362-052101) AN ORDINANCE accepting the bid of Virginia Infrastructure, Inc., to connect the inlets on Yellow Mountain Road to an existing storm drain system on Melcher Street in connection with the Garden City Storm Drain Project - Phase 7, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Bestpitch moved the adoption of Ordinance No. 35362-052101. The motion

was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

RECYCLING: A report of the Bid Committee in connection with provision of recycling services for paper, bottle and can commodities, was withdrawn by Vice-Mayor Carder on behalf of the Bid Committee.

BUDGET-STREETS AND ALLEYS: Vice-Mayor William H. Carder, Member, Bid Committee, presented a written report on behalf of the Committee, advising that three bids for the 2001 Street Paving Program were received on May 1, 2001, and referred to the Bid Committee for review and report to Council; whereupon, the Bid Committee recommended that Council approve the following actions:

Accept the bid of Adams Construction Company and authorize the City Manager to enter into a contractual agreement with Adams

Construction Company, in the amount of \$ 1,969,602.91 (which includes Alternate 1), in a form to be approved by the City Attorney.

Appropriate \$420,000 .00 in CMERP funding (\$350,000.00 for Street Paving and \$70,000.00 for Public Works Service Center Paving) to Street Paving Account No. 001-530-4120-2010.

Appropriate \$35,000.00 in CMERP funding to a new Capital account to be entitled Public Works Service Center Improvements.

Increase the revenue estimate by \$197,949.00 in Street Maintenance Revenue, Account No. 001-110-1234-0650, and appropriate to Street Paving, Account No. 001-530-4120-2010.

Transfer \$100,000.00 from Street Paving, Account No. 001-530-4120-2010, to a new Capital account to be entitled Lincoln 2000 Project.

Transfer \$100,000.00 from Street Paving, Account No. 001-530-4120-2010, to Greater Gainsboro Infrastructure Improvements, Account No. 008-410-9625.

Reject all other bids received by the City.

The City Manager submitted a statement of concurrence in the recommendation of the Bid Committee.

(For full text, see report on file in the City Clerk's Office.)

Mr. Carder offered the following emergency ordinance:

(#35363-052101) AN ORDINANCE to amend and reordain certain sections of the 2000-2001 General and Capital Projects Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Carder moved the adoption of Ordinance No. 35363-052101. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

Mr. Bestpitch offered the following emergency ordinance:

(#35364-052101) AN ORDINANCE accepting the bid of Adams Construction Company for paving and profiling of various streets, upon certain terms and conditions, and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Bestpitch moved the adoption of Ordinance No. 35364-052101. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

UNFINISHED BUSINESS: None.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

WATER RESOURCES-SEWERS AND STORM DRAINS-FEE COMPENDIUM:
Ordinance No. 35320, in connection with a rate structure for septic tank disposal fees and certain water rates, having previously been before the Council for its first reading on Monday, May 7, 2001, read and adopted on its first reading and laid over, was again before the body, Mr. Harris offering the following for its second reading and final adoption:

(#35320-052101) AN ORDINANCE changing the rate structure and establishing a revised rate schedule for septic tank disposal fees and for certain water rates and related charges for services provided by the City effective August 1, 2001; and directing amendment of the Fee Compendium.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Harris moved the adoption of Ordinance No. 35320-052101. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Bestpitch, Carder, Harris, and Mayor Smith-----5.

NAYS: Council Member Wyatt-----1.

(Council Member Hudson was absent.)

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

SCHOOLS: Vice-Mayor Carder commended the Roanoke City School Board and School officials on a recently conducted tour of City schools for real estate agents of the Roanoke Valley.

BUDGET-GRANTS: Council Member Bestpitch advised that he has a conflict of interest with regard to Resolution No. 35319-050701, which was adopted by Council on Monday, May 7, 2001, that authorizes the City Manager to submit an

approved annual update to the HUD Consolidated Plan for Fiscal Year 2001-2002, which Plan includes funding for the YMCA. Inasmuch as his spouse is employed by the YMCA, he requested that he be permitted to change his affirmative vote to an abstention.

Mr. Bestpitch moved that Council concur in his request to change his affirmative vote on Resolution No. 35319-050701 to an abstention. The motion was seconded by Ms. Wyatt and adopted.

SHERIFF-CITY JAIL-FIRE DEPARTMENT: Council Member Wyatt acknowledged the contributions of the Sheriff's Office and City Jail inmates in connection with construction of the new joint training facility for Fire and EMS personnel.

ACTS OF ACKNOWLEDGEMENT-HOTEL ROANOKE CONFERENCE CENTER-VIRGINIA TECH: Council Member White requested that the matter of acknowledging the contributions of Deborah Moses, Executive Director, Hotel Roanoke Conference Center, and others, in connection with resolving construction problems at the Hotel Roanoke Conference Center be referred to the City Manager, City Attorney and City Clerk for preparation of the proper measure for consideration by Council at its regular meeting on Monday, June 4, 2001.

TRAFFIC-STATE HIGHWAYS: Mr. Harris moved that Council reaffirm its opposition to the proposed routing of I-73 through the southeast quadrant of the City, and that the City Manager be instructed to communicate the position of Council to the appropriate Virginia Department of Transportation officials and to the City's representatives to the General Assembly. The motion was seconded by Mr. White and adopted, Mayor Smith voted no.

OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS: None

At 3:15 p.m. the Mayor declared the meeting in recess to be immediately reconvened in the City Council's Conference Room, for the purpose of conducting a staff briefing with regard to Regional Refuse Collection.

At 3:20 p.m., the Council meeting reconvened in the Council's Conference Room, with all Members of the Council in attendance, except Council Member Hudson, Mayor Smith presiding.

REFUSE COLLECTION-RECYCLING: The City Manager recognized Sherman Stovall, Planning and Support Services Supervisor, for a status update on regional refuse collection.

Mr. Stovall advised that during fiscal year 1995-96, a comprehensive study of refuse collection was conducted by City staff, the focus of the study was on enhancing the efficiency and cost effectiveness of residential refuse collection; a recommendation was made to transition from manual collection to automated and semi-automated collection; and a study team from Roanoke City and Roanoke County considered regional refuse collection.

He further advised that a decision was made to defer further study of regional refuse collection to allow Roanoke to move forward with automated and semi-automated collection, since Roanoke City and Roanoke County would be using the same collection method; the transition to automated and semi-automated collection was implemented in two phases beginning in fiscal year 1997-98, with no change in collection points and a savings totaling \$569,000.00.

Mr. Stovall noted that the regional study team resumed the evaluation of regional refuse collection during fiscal year 1999-2000; the team consisted of representatives from the City of Roanoke, Roanoke County, the Town of Vinton and the Roanoke Valley Resource Authority; the consulting firm of R. W. Beck was engaged to evaluate current solid waste collection practices, to identify strategies to improve existing services and to assist with the development of a regional service delivery model; and a regional cost model has been developed including manpower/staffing requirements, equipment requirements and facility requirements.

It was explained that a total of 64,118 residents will be served; and key assumptions by the study team are:

Roanoke Valley Resource Authority will be the service provider, including maintaining vehicles.

No change in service frequency.

Maximize the number of curbside collection points.

Manpower/staff requirements will include a sufficient backup compliment.

Vehicle requirements will include a sufficient backup compliment.

Each jurisdiction will transfer collection vehicles to the Roanoke Valley Resource Authority.

Vehicles will be replaced based on useful life.

It was noted that incremental cost for the City is: \$220,338.00 - collection and \$446,573.00 - capital; and collection cost factors are:

Continued fixed overhead expenses associated with commercial, Central Business District and Recycling collection services; additional compliment of back up staff of approximately ten positions; and savings from route optimization and maximization of curbside collection points reallocated to bulk/brush collection which is more labor intensive; capital cost factors include debt service for the construction of a vehicle maintenance facility; and replacement of vehicles based on useful life since vehicles are currently replaced when the cost of maintenance exceeds the value of the vehicle.

In conclusion, the City Manager advised that while other areas of regional cooperation exist in the Roanoke Valley, it is believed that the considerations associated with regional refuse collection do not meet Council's vision for effective government.

There being no questions or discussion, without objection by Council, the Mayor advised that the status report would be received and filed.

At 3:40 p.m., the Mayor declared the meeting in recess for four closed sessions.

At 6:58 p.m., the meeting reconvened in the City Council Chamber, with all Members of the Council in attendance, except Council Member Hudson, Mayor Smith presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Carder moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public

business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

At 7:00 p.m., the Mayor declared the Council meeting in recess to be reconvened immediately for the 7:00 p.m. session of Council, in the City Council Chamber.

On Monday, May 21, 2001, at 7:00 p.m., the Roanoke City Council reconvened in regular session in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members William White, Sr., Linda F. Wyatt, William D. Bestpitch, William H. Carder, C. Nelson Harris and Mayor Ralph K. Smith-----6.

ABSENT: Council Member W. Alvin Hudson, Jr.-----0.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; Gary Tegenkamp, Assistant City Attorney; Ann A. Shawver, Manager of Accounting Services; and Mary F. Parker, City Clerk.

The reconvened meeting was opened with a prayer by Council Member William D. Bestpitch.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

PUBLIC HEARINGS:

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, May 21, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of John G. Moore, Jr., that a tract of land lying at 1901 Memorial Avenue, S. W., being a portion of Lot 15, Block 5, Section 1, Virginia Heights, Official Tax No. 1330303, be rezoned from C-1, Office District, to CN, Neighborhood Commercial District, subject to certain conditions proffered by the petitioner, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, May 4, 2001 and Friday, May 11, 2001.

(See publisher's affidavits on file in the City Clerk's Office.)

A report of the City Planning Commission advising that the property is located at the corner of Memorial Avenue and Denniston Avenue and contains a residential structure that was converted to a business/residential use; there is an art gallery and framing business on the first floor and the second floor is used as a residence; the owner was granted a special exception by the Board of Zoning Appeals to operate a personal service establishment, and the special exception was limited to three years and will soon expire; and rezoning the property to CN will allow operation of the business as a permitted use, was before Council.

The Planning Commission recommended that Council approve the request for rezoning.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following ordinance and dispensing with the second reading of the title paragraph:

(#35365-052101) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 133, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Harris moved the adoption of Ordinance No. 35365-052101. The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons present who would like to address Council with regard to the request for rezoning. There being none, Ordinance No. 35365-052101 was adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

Without objection by Council, the Mayor declared the public hearing closed.

ROANOKE CIVIC CENTER-STADIUM-PURCHASE/SALE OF PROPERTY: Ms. Wyatt moved that the City Manager be authorized to negotiate the acquisition of property across Orange Avenue from the Roanoke Civic Center for construction of a multi-purpose facility (stadium and amphitheater), at a project cost not to exceed \$18 million, with a report back to Council on negotiations. The motion was seconded by Mr. Harris and adopted.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, May 21, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of Oakley L. Covey that property located at the northwest corner of the intersection of Old Salem Road and Overland Avenue, S. W., located at 3233 Old Salem Road, Official Tax No. 5210402, be rezoned from LM, Light Manufacturing District, to RS-2, Single-Family Residential District, subject to certain conditions proffered by the petitioner, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, May 4, 2001 and Friday, May 11, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the City Planning Commission advising that the property is currently zoned LM, Light Manufacturing and its current use is single-family residential, with a two-story home having been constructed in 1936; the property is

surrounded by commercial uses to the south and east, and residential uses to the north and west; current use of the property does not conform to its zoning and the petitioner's request is to maintain present use of the property; and traffic in the area would not be affected, was before Council.

The City Planning Commission recommended approval of the request for rezoning and advised that current use of the property is not in conflict with adjacent uses and will in the future, maintain the residential character of the neighborhood surrounding the property to the north; and rezoning of the parcel of land will also minimize potential land use conflicts that may arise in the neighborhood in the event of future commercial development.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following ordinance and dispensing with the second reading of the title paragraph:

(#35366-052101) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 521, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Harris moved the adoption of Ordinance No. 35366-052101. The motion was seconded by Mr. Carder.

Ross C. Hart, Attorney, appeared before Council in support of the request of his client.

The Mayor inquired if there were persons present who would like to address Council with regard to the request for rezoning. There being none, Ordinance No. 35366-052101 was adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

Without objection by Council, the Mayor declared the public hearing closed.

ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, May 21, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of CHS, Inc., and Moore's Lumber and Building Supplies, Inc., that a tract of land located on the north side of Franklin Road, S. W., at its intersection with Roberts Road, containing 7.2716 acres, more or less, Official Tax No. 1280602, be rezoned from C-2, General Commercial District, to LM, Light Manufacturing District, subject to certain proffered conditions, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, May 4, 2001 and Friday, May 11, 2001.

(See publisher's affidavits on file in the City Clerk's Office.)

A report of the City Planning Commission advising that on June 11, 2000, the property was rezoned from LM, Light Manufacturing District, to C-2, General Commercial District, subject to certain proffered conditions; a petition to rezone the property was filed on March 22, 2001, with the petitioner proposing to use the property for laundry services and the processing of hospital foods to local and regional hospitals; a second amended petition was filed on April 16, 2001; and a third amended petition was filed on May 3, 2001, subject to certain conditions, was before Council.

The City Planning Commission recommended that Council approve the request for rezoning.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following ordinance and dispensing with the second reading of the title paragraph:

(#35367-052101) AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 128, Sectional 1976 Zone Map, City of Roanoke, to rezone certain property within the City, subject to certain conditions proffered by the applicant; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Harris moved the adoption of Ordinance No. 35367-052101. The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons present who would like to address the matter; whereupon, the following persons spoke:

Steven J. Talevi, Assistant City Attorney, call attention to a petition signed by a number of citizens in opposition to the request for rezoning (20 per cent of adjoining property owners), the effect of which, under provisions of the City Charter, will require that five of the seven members of Council vote in favor of the request for rezoning if the rezoning is to be approved by Council.

Michael G. Ballantyne, representing the petitioner, advised that the property in question was zoned Light Manufacturing until last year when it was rezoned to commercial in anticipation of the development of an office complex; however, the real estate transaction did not occur, therefore, it is now requested that the zoning be changed back to Light Manufacturing to enable the property to be used for other projects.

John Christodoulides, Engineer, representing CHS, Inc., advised that the petitioner intends to convert the existing Moore's Distribution Center and Lumber Yard into a complex consisting of a centralized kitchen and laundry service building and warehouse. He stated that a reduction in traffic is projected, the proposed development is compatible with plans of the City of Roanoke for development in the area, and facilities will be introduced into the community that are state-of-the-art.

Ms. Christene Helms, 2951 Roberts Road, S. W., presented a petition signed by 70 persons in opposition to the request for rezoning, and expressed concern in regard to problems associated with water pressure, traffic and noise.

Michael Waldvogel, 3526 Penarth Road, S. W., spoke in opposition to the request for rezoning, and advised that the property was previously zoned Light Manufacturing District, conditioned upon its use for retail purposes, and the proposed use represents an inappropriate insertion of industrial use into a stable residential and commercial neighborhood. He explained that no Light Manufacturing zoned land currently exists on Franklin Road south of the railroad trestle at Brandon Avenue and the property proposed to be rezoned does not adjoin a Light Manufacturing or a Heavy Manufacturing District, but is surrounded by residential C-1 and C-2 uses. He stated that the proposal before Council is clearly spot zoning and will not benefit the area or the City of Roanoke, and the proposed rezoning is inconsistent with the City's Comprehensive Plan which does not identify the area as a site for future industry.

Mr. Mark Hall, 3475 West Ridge Road, S. W., advised that CHS, Inc., has placed restrictions on the request for rezoning to satisfy the concerns of residents of the area. He stated that the proposed operation will be fully enclosed, therefore, noise should not be an issue. He explained that the proposed facility is a continuation of the extension of the bio-med research facility on Jefferson Street, and there is the possibility of four businesses benefitting from the rezoning by relocating their facilities to the building formerly used by Carilion for its laundry service.

Mr. Calvert L. Saunders, Vice President, Moores Lumber and Building Supplies, Inc., spoke in support of the request for rezoning. He advised that Moore's is relocating its operation to Aerial Way Drive, therefore, sale of the property is critical. He stated that traffic on Franklin Road will be significantly reduced due to the relocation of Moore's.

Mr. W. Jackson Burrows, 325 Willow Oak Drive, S. W., spoke in support of the request for rezoning and advised that under the proposal of Carilion, two self-contained buildings will be constructed, there will be no outside storage, the Roberts Road entrance will be closed to vehicular traffic, traffic will be decreased, the noise factor will be less, two existing businesses that are located in the bio-med center area could be relocated, space currently used by Carilion in the hospital facility for food preparation would be available for other use, existing landscaping on Roberts Road would be enhanced, and there would be no impact on lighting. He stated that the proposal would be an improvement to the area and recommended its approval by Council.

Mr. Bob Crawford, 2431 Stanley Avenue, S. E., advised that the proposed use by Carilion is much less intrusive than the current use. He stated that the price of the land, which is extremely high, precludes development, whether it be medical or retail office, which leaves only a user such as CHS, Inc., whose needs relate to productivity and/or efficiency increases as opposed to a real estate investor. He advised that Carilion has proposed a responsible and maintainable use of the property which will be a bench mark of the community for a long time to come, and residents of the area do not have anything to fear as a result of the proposed use.

Mr. Peter White, 2615 Rosalind Avenue, S. W., President, Neighbors in South Roanoke, advised that the proposed rezoning represents spot zoning. He called attention to four reasonable thought processes that should be taken into consideration when making a decision: (1) the neighborhood does not want the facility; (2) traffic counts will increase due to the clientele to be served by Carilion; (3) the facility is inconsistent with the fabric of the neighborhood and not in conformance with the City's Comprehensive Plan; and (4) what started out as a

proposal to serve nine hospitals and no more than 800 patients will not encompass jails, health groups, and schools. He added that the proposed use is not the correct utilization of the property, it constitutes spot zoning and requested that Council consider the ramifications of the proposed use and exercise the wisdom and courage to reject the request for rezoning.

No other persons wishing to be heard, Ordinance No. 35367-052101 was adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder, Harris and Mayor Smith--5.

NAYS: None-----0.
(Council Member White abstained from voting.) (Council Member Hudson was absent.)

Without objection by Council, the Mayor declared the public hearing closed.

PURCHASE/SALE OF PROPERTY-CITY PROPERTY: Pursuant to instructions by Council, the City Clerk having advertised a public hearing for Monday, May 21, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, to receive citizen input on a proposed conveyance of City-owned property identified as Official Tax Nos. 1010402 and 1010403, located at 143 Salem Avenue, S. W., to Roanoke Downtown Properties, LLC, or its assigns, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, May 13, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

A communication from the City Manager advising that the City of Roanoke has been working through Roanoke Downtown Properties, LLC, with a confidential economic development prospect to expand its operations in downtown Roanoke, which expansion will result in approximately \$26 million in new investment (\$8 million in new building and \$18 million in new equipment) and in order to assist in the assemblage of property necessary for the expansion, two City owned parcels of land, Official Tax Nos. 1010402 and 1010403, currently used for parking, need to be conveyed to Roanoke Downtown Properties, LLC.

The City Manager recommended that Council conduct the public and at a later meeting, authorize the City Manager to execute an assignable option agreement to convey the two parcels of land to Roanoke Downtown Properties, LLC, for consideration in the amount of \$100.00 and other good and valuation consideration.

(For full text, see communication on file in the City Clerk's Office.)

The Mayor inquired if there were persons present who would like to address Council in connection with the matter; whereupon, no person asked to be heard.

The Mayor called for discussion by Council. There being none, he advised that no action is being requested of the Council at this time; therefore, without objection by Council, he declared the public hearing closed.

BUILDINGS-ZONING-CITY CODE: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, May 21, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke that a proposed amendment to Section 7-1, Penalty for violations of chapter, Section 7-3, Building commissioner appointed enforcing official, and Subsections (a) and (b) of Section 7-45, Appeals, of Chapter 7, Building Regulations; and amending subsection (d) of Section 36.1-327, Historic district regulations; certificate of appropriateness, and subsection (f) of Section 36.1-345, District regulations; certificate of appropriateness, of Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to provide for code officials responsible for inspections under, and enforcement and administration of, the property maintenance code and all other codes within the Building Code, and the delegation of authority of those officials, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, May 4, 2001 and Friday, May 11, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

The City Manager submitted a communication advising that authority to administer the Virginia Uniform Statewide Building Code (USBC), including the Building Maintenance Code (BMC), is assigned by the USBC to a "code official"; Section 7-3 of the City Code designates the City's Building Commissioner as the City's Building Code Official; however, the USBC allows a separate official to be designated as the code official responsible for enforcement of the Building Maintenance Code.

It was further advised that prior to April, 2000, the Building Maintenance Code and the rest of the Unified Statewide Building Code was administered by the Building Department, headed by the Building Commissioner; enforcement responsibility for the Building Maintenance Code has been moved from the Building Department to the newly-formed Department of Housing and Neighborhood Services; in order to align legal authority to administer the Building Maintenance Code with the City's current

organizational structure, changes in the City Code are needed to authorize the designation of a code official responsible for enforcement of the Building Maintenance Code and to assign specific responsibilities currently held by the Building Commissioner to that official; and the manager of the office administering the Building Maintenance Code has the certification required by the Commonwealth of Virginia.

It was further advised that included in the amendments are two changes to the Zoning Ordinance regarding historic districts; and the City Planning Commission held a public hearing regarding the proposed amendments on April 19 and recommended approval of the amendments as submitted.

The City Manager recommended that Council amend Chapters 7 and 36.1 of the Code of the City of Roanoke (1979), as amended, to authorize appointment of a Building Maintenance Code official, and assignment of specific responsibilities and authority to the Building Maintenance Code Official and to the Building Code Official.

A report of the City Planning Commission recommending approval of the proposed amendments, was also before Council.

(For full text, see reports on file in the City Clerk's Office.)

Mr. Harris offered the following ordinance and dispensing with the second reading of the title paragraph:

(#35368-052101) AN ORDINANCE amending §7-1, Penalty for violations of chapter, §7-3, Building commissioner appointed enforcing official, and subsections (a) and (b) of §7-45, Appeals, of Chapter 7, Building Regulations; and amending subsection (d) of §36.1-327, Historic district regulations; certificate of appropriateness, and subsection (f) of §36.1-345, District regulations; certificate of appropriateness, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, to provide for code officials responsible for inspections under, and enforcement and administration of, the property maintenance code and all other codes within the building code, and the delegation of authority of those officials; and dispensing with the second reading of the title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Harris moved the adoption of Ordinance No. 35368-052101. The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons present who would like to address

Council with regard to the matter . There being none, Ordinance No. 35368-052101 was adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

Without objection by Council, the Mayor declared the public hearing closed.

CITY CODE-ZONING: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, May 21, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on the request of the City of Roanoke on a proposed amendment of Division 5, Special District Regulations, of Article III, District Regulations, by the addition of a new subdivision entitled Subdivision H, INPUD, Institutional Planned United Development District; and amending Section 36.1-562, Standards, of Division 12, Group Care Facilities, of Article IV, Supplementary Regulations, of Chapter 36.1, Zoning, Code of the City of Roanoke (1979), as amended, to provide for a new institutional planned unit development district, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, May 4, 2001 and Friday, May 11, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

A report of the City Planning Commission advising that Roanoke's Zoning Ordinance currently provides for two Planned Unit Development (PUDs) Districts: RPUD, Residential Planned Unit Development District, and IPUD, Industrial Planned Unit Development District (IPUD); the RPUD district provides for mixed residential and commercial uses; and the IPUD district provides for mixed industrial and commercial uses.

It was further advised that the INPUD, Institutional Planned Unit Development District, is proposed to address the gap between these districts by providing for institutional uses, mixed commercial uses, residential, and industrial uses in accordance with an adopted institutional development plan; and, in addition to the amendment establishing the INPUD District, an additional amendment to the Group Care Facility section of the Zoning Ordinance is proposed in order to include standards for group care facilities in an INPUD district.

It was explained that on December 18, 2000, Council referred the matter back to the City Planning Commission for further study due to questions regarding development plan requirements and provisions for group care facilities; and the following changes are proposed:

Residential uses are allowed as a permitted use.

Group care facilities are included as a permitted use in the INPUD district. Standards for these facilities are set forth in Section 36.1-560 et seq of the Zoning Ordinance. (Note that there is no 1,500 foot distance requirement between facilities because the location of proposed facilities must be approved at the time the INPUD is reviewed, or later by the Planning Commission.)

Underground utilities are not a requirement.

Application requirements have been revised to provide that if a building location or use is not known at the time of application, the future development of the location must be approved by the Planning Commission.

The City Planning Commission recommended that Council approve the proposed INPUD District regulations.

(For full text, see report on file in the City Clerk's Office.)

Mr. Harris offered the following ordinance and dispensing with the second reading of the title paragraph:

(#35369-052101) AN ORDINANCE amending Division 5, Special District Regulations, of Article III, District Regulations, by the addition of a new subdivision entitled Subdivision H, INPUD, Institutional Planned Unit Development District; and amending of §36.1-562, Standards, of Division 12, Group Care Facilities, of Article IV, Supplementary Regulations, of Chapter 36.1, Zoning, of the Code of the City of Roanoke (1979), as amended, to provide for a new institutional planned unit development district; and dispensing with the second reading of the title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Harris moved the adoption of Ordinance No. 35369-052101. The motion was seconded by Mr. Carder.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter . There being none, Ordinance No. 35369-052101 was adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

Without objection by Council, the Mayor advised that the public hearing would be closed.

HEALTH DEPARTMENT-CITY PROPERTY-LEASES: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, May 21, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, on a proposed lease of City-owned property located at 515 and 530 Eighth Street, S. W., Official Tax Nos. 1113111 and 1113210, to the Commonwealth of Virginia, Department of Health, for a period of three years, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Sunday, May 13, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

A communication from the City Manager transmitting a measure authorizing the lease was before Council.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Carder offered the following ordinance and dispensing with the second reading of the title paragraph:

(#35370-052101) AN ORDINANCE authorizing the lease of certain City-owned property to the Commonwealth of Virginia, Department of Health, upon certain terms and conditions; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Carder moved the adoption of Ordinance No. 35370-052101. The motion

was seconded by Mr. Bestpitch.

The Mayor inquired if there were persons present who would like to address Council with regard to the matter . There being none, Ordinance No. 35370-052101 was adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

Without objection by Council, the Mayor declared the public hearing closed.

The Mayor relinquished the chair to the Vice-Mayor.

SIGNS/BILLBOARDS/AWNINGS-SPECIAL PERMITS: Pursuant to Resolution No. 25523 adopted by the Council on Monday, April 6, 1981, the City Clerk having advertised a public hearing for Monday, May 21, 2001, at 7:00 p.m., or as soon thereafter as the matter may be heard, to receive citizen input on a proposed encroachment of an overhead projection sign extending at least 11 feet above the sidewalk and approximately 18 inches into the public right-of-way adjacent to property located at 110 Church Avenue, S. W., Official Tax No. 1012211, the matter was before the body.

Legal advertisement of the public hearing was published in The Roanoke Times on Friday, May 4, 2001 and Friday, May 11, 2001.

(See publisher's affidavit on file in the City Clerk's Office.)

A communication from the City Manager advising that Burton Electric Signs, on behalf of First Citizens Bank, has requested permission to install a projection sign on the building at 110 Church Avenue, S. W., which will encroach into the public right-of-way; the proposed sign will encroach approximately 18 inches into the right-of-way of Church Avenue and have 11 feet of clearance above the sidewalk; the right-of-way of Church Avenue at this location is approximately 50 feet in width; and liability insurance and indemnification of the City by the property owner will be provided by the property owner, was before Council.

The City Manager recommended that she be authorized to execute the appropriate document granting a revocable license to the property owners at 110

Church Avenue, S. W., for the above described purpose.

(For full text, see communication on file in the City Clerk's Office.)

Mr. Harris offered the following ordinance and dispensing with the second reading of the title paragraph:

(#35371-052101) AN ORDINANCE granting a revocable license to permit the construction and encroachment of an overhead projection sign extending at least eleven (11) feet above the sidewalk and approximately eighteen (18) inches into the public right-of-way adjacent to the property located at 110 Church Avenue, S. W., and bearing Official Tax No. 1012211, upon certain terms and conditions; and dispensing with the second reading of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 64.)

Mr. Harris moved the adoption of Ordinance No. 35371-052101. The motion was seconded by Mr. Bestpitch.

The Vice-Mayor inquired if there were persons present who would like to address Council with regard to the matter . There being none, Ordinance No. 35371-052101 was adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, and Harris-----5.

NAYS: None-----0.

(Mayor Smith abstained from voting.) (Council Member Hudson was absent.)

Without objection by Council, the Vice-Mayor declared the public hearing closed.

OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS:

ARMORY/STADIUM-ROANOKE CIVIC CENTER: Mr. Jim Fields, 17 Ridge Crest Road, Hardy, Virginia, inquired as to the fate of Victory Stadium in view of Council's previous motion to negotiate for acquisition of property across Orange Avenue from the Roanoke Civic Center for construction of a multi-purpose facility. He requested that Victory Stadium, at its current location, continue to be used by the City.

COMPLAINTS-CITY EMPLOYEES: Mr. Robert Gravely, 1412 Moorman Road, N. W., addressed Council with regard to increased wages for the City work force.

At 8:00 p.m., the Mayor declared the meeting in recess for two closed sessions which were previously authorized by Council.

At 8:50 p.m., the meeting reconvened in the City Council Chamber, with all Members of the Council in attendance except Council Member Hudson, Mayor Smith presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Mr. Carder moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Harris and adopted by the following vote:

AYES: Council Members White, Wyatt, Bestpitch, Carder, Harris, and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Hudson was absent.)

There being no further business, the Mayor declared the meeting adjourned at 8:52 p.m.

A P P R O V E D

ATTEST:

Mary F. Parker
City Clerk

Ralph K. Smith
Mayor

REPORT WAS NOT AVAILABLE

June 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Trespassing Tracking System

Background:

When the Police Department instituted the Community Oriented Police Effort (C.O.P.E.) in 1991, the Department began investigating what was creating the high number of calls and crime in Housing Authority residences. The Department determined that the residents feared those individuals who did not live in the complexes who were creating crime and disorder. These trespassers, not the residents, were committing the majority of offenses.

With the aid of the Police Department, the Housing Authority started barring these individuals from the properties that they controlled but with only limited success toward controlling the problem. In 2000 the Barment Program was developed which gave Officers the authority to bar individuals who were observed committing criminal offenses on Housing Authority properties and enforce trespassing laws for those individuals who had been previously barred. Similar programs have been developed in Richmond, Norfolk, Alexandria and Newport News with great success in the reduction of crime and calls for service.

The Roanoke Police Department, using innovative technology, has developed a "Trespassing Tracking System" which would provide police officers immediate access to photographs of barred individuals along with comprehensive personal data of each barred person. Typically, trespassers on Housing Authority properties carry no identification, which makes identification, by Officers, of individuals who have been barred difficult. Without immediate positive identification, the officer is unable to enforce trespassing laws and, therefore, is unable to effectively carry out the barment program in an effort to reduce crime and fear. Using this system, the Officers would have access, via a laptop

The Honorable Mayor and Members of Council
June 4, 2001
Page #2

computer, to a database that would include all pertinent information on the barred subject along with a picture for identification purposes. The goal of the program is to enhance the quality of life for residents living on Roanoke Redevelopment and Housing Authority properties and increase the safety of these areas by removing those individuals who are the source of criminal activity and many times prey upon the residents who live in these communities.

Considerations:

Implementation of this program will require the purchase of laptop computers, digital cameras, and software to build the database of barred persons. Funding for the Trespassing Tracking System is not available within the Police Department's FY adopted budget. The Roanoke Redevelopment and Housing Authority would like to grant \$20,000 to the Roanoke Police Department to fund the implementation of the Trespassing Tracking System.

Recommended Action:

Accept and appropriate the \$20,000 grant from Roanoke Redevelopment and Housing Authority into accounts to be established by the Director of Finance in the Grant Fund for expendable equipment. Establish a revenue estimate of the same in the Grant Fund.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:jr

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Rolanda Johnson, Assistant City Manager for Community Development
A. L. Gaskins, Police Chief
John Baker, Roanoke Redevelopment and Housing Authority
Earl Saunders, Roanoke Redevelopment and Housing Authority
Joe Slone, Director of Technology

COUNCIL LETTER #CM01-00084

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION accepting and expressing appreciation for the grant from the Roanoke Redevelopment and Housing Authority.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. This Council accepts and expresses its appreciation for the grant to the City from the Roanoke Redevelopment and Housing Authority in the amount of \$20,000 to fund the implementation of the Trespassing Tracking System as more particularly described in the letter of the City Manager, dated June 04, 2001.

2. The City Clerk is directed to forward an attested copy of this resolution to Mr. John Baker of the Roanoke Redevelopment and Housing Authority.

ATTEST:

City Clerk.

June 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable W. Alvin Hudson, Council Member
Honorable William D. Bestpitch, Council Member
Honorable William White, Sr., Council Member
Honorable C. Nelson Harris, Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Recycling Services
Bid No. 01-03-34 & 01-03-35

Background:

The goal of the Solid Waste Management Division is to begin commingled collection of recyclables from all residents on July 1, 2001. The new program will allow residents to recycle a broader range of products on a weekly basis, alternating between mixed paper products one week and a mixture of metal, plastic and glass containers the following week. Disposal services for paper commodities as well as bottle and can commodities are needed.

Considerations:

Two (2) separate bids were advertised. Three (3) responses were received for paper commodities while two (2) responses were received for bottle and can commodities. Considered together, the best bids were submitted by Cycle Systems, Inc., and are dependant upon accepting both bids, with better pricing offered for meeting a certain threshold. That is, if both commodities total less than 300 tons per month, Cycle Systems would charge \$5.00 per ton for paper commodities while bottles and cans would be disposed at \$0.02 per pound (\$40.00 per ton). If the total for both commodities was greater than 300 tons per month, there would be no charge by Cycle Systems for disposal of either commodity. (Recycling totals averaged 128 tons per month from December 2000 through March 2001). It is anticipated that with proper promotion, education and the expansion of the commingled program to all residences, Roanoke can achieve the 300-ton per month goal.

Funding for disposal costs that might be incurred is available in the Solid Waste Management operating budget.

Recommended Action:

Accept the bids of Cycle Systems, Inc., and authorize the City Manager to execute a contract with Cycle Systems, Inc., approved as to form by the City Attorney (for the acceptance of both the paper commodities bid and the bottle and can commodities bid). Reject all other bids.

Respectfully submitted,

Robert K. Bengtson, P.E.

Frank (Skip) Decker

Robert White

I concur in the recommendation of the Bid Committee and recommend it to you for approval.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:gpe

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Robert K. Bengtson, P.E., Director of Public Works
Frank (Skip) Decker, Solid Waste Management Superintendent
Robert White, Purchasing Manager

#CM01-00087

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION authorizing the acceptance of two bids, and execution of a contract with Cycle Systems, Inc., for the provision of recycling services for paper commodities, and for bottle and can commodities, upon certain terms and conditions, and rejecting all other bids received.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The bid of Cycle Systems, Inc., for the provision of recycling services for paper commodities, as more particularly described in the May 21, 2001, letter to this Council, is hereby ACCEPTED.

2. The bid of Cycle Systems, Inc., for the provision of recycling services for bottle and can commodities, as more particularly described in the May 21, 2001, letter to this Council, is hereby ACCEPTED.

3. The City Manager and the City Clerk are hereby authorized, for and on behalf of the City, to execute and attest, respectively, the requisite contracts with Cycle Systems, Inc., upon form approved by the City Attorney, for the services listed above, upon the bid prices and such terms and conditions as are more fully set out in the letter to this Council dated May 21, 2001.

4. Any and all other bids made to the City for the aforesaid services are hereby REJECTED, and the City Clerk is directed to notify each such bidder and to express the City's appreciation for such bid.

ATTEST:

City Clerk.

June 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor and Members of City Council:

Subject: Sharing Federally Forfeited Property

Background:

In 1986, Congress authorized the transfer of certain federally forfeited property to state and local law enforcement agencies that participated in the investigation and seizure of the property. Application for an equitable share of property seized by local law enforcement must be made to the U. S. Department of Justice and certified by the City Attorney. This property, including funds shared with state and local agencies, may be used only for the purpose stated in the application, i.e., narcotics investigations related to law enforcement.

Participation in federally forfeited property enhances the effectiveness of narcotics investigations by providing necessary investigations equipment, investigative funds, overtime expenses, and offsets the costs that would otherwise have to be borne by the city's taxpayers. The Police Department receives funds periodically from the federal government's asset sharing program. Grant requirements state that these funds be placed in an interest bearing account and the interest earned be used in accordance with program guidelines.

Revenues totaling \$28,568.00 have been collected and are available for appropriation in Grant Fund accounts 035-640-3304-3305 and 035-640-3304-3306.

Recommended Action:

Appropriate \$28,568.00 to the Grant Fund account for Exp. Equipment (035-640-3304-2035) and increase the Grant Fund revenue estimate for account 035-640-3304-3305 by \$25,801.00 and account 035-640-3304-3306 by \$2,767.00

Respectfully submitted,

Darlene L. Burcham
City Manager

The Honorable Mayor and Members of Council
June 4, 2001
Page 2

cc: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Rolanda Johnson, Assistant City Manager
Chief A. L. Gaskins, Police

#CM01-00091

June 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: VISSTA Area Training Center Lease

The State Department of Social Services is interested in providing two classrooms, which will be used to provide computer training to the Department of Social Services agency staff for the Piedmont region. See Attachment #1. Roanoke is the largest agency in the region. Presently we are sending staff to other locations such as Richmond, Northern Virginia and tidewater. This requires overnight stay for some seminars.

The classrooms will utilize a 2,200 square foot area adjacent to current leased space. See Attachment #2. The rate is \$30,984 annually which includes the cost for renovations. The cost will be reimbursed 100% by the State. The correct name of the Lessor is First Campbell Square, LLC (formerly known as First Campbell LC). See Attachment #3.

Recommended Action(s):

Authorize the City Manager to take the following actions:

Execute a lease agreement with First Campbell Square, LLC, such agreement to be approved as to form by the City Attorney, for 2,200 square feet. Term of the Lease will be for five years, ending April 30, 2006.

Appropriate \$30,984 to VISSTA Account No. 001-630-5318-3075 and increase the General Fund Revenue estimate by \$30,984 in Account No. 001-110-1234-0671.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/SEF

Attachment(s): 3

c: William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
James D. Grisso, Director of Finance
Glenn D. Radcliffe, Director of Human Services
Sarah E. Fitton, Engineering Coordinator

#CM01-00092

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the City Manager to enter into a lease agreement with First Campbell Square, LLC, for the lease of space at 210 First Street, for use by the City of Roanoke, upon certain terms and conditions.

BE IT RESOLVED by the Council of the City of Roanoke that the City Manager and the City Clerk are authorized to execute and attest, respectively, in form approved by the City Attorney, an appropriate lease agreement with First Campbell Square, LLC for the lease of 2,200 square feet of space within First Campbell Square located at 210 First Street, S.W., for use as a computer lab for training purposes by the VISSTA Program; such lease shall be for a term beginning May 1st or the date that the premises are ready for occupancy, until April 30, 2006, at a rate of \$2,582.00 per month; and shall be upon the terms and conditions as more particularly described in the report to this Council dated June 4, 2001.

ATTEST:

City Clerk.

June 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable W. Alvin Hudson, Council Member
Honorable William D. Bestpitch, Council Member
Honorable William White, Sr., Council Member
Honorable C. Nelson Harris, Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Fund Appropriation from
First Union National Bank

Background:

The City of Roanoke, First Union and the Fifth District Employment and Training Consortium (FDETC) agreed if First Union would maintain 420 jobs in Enterprise Zone One, training funds would be available. The agreement states First Union is responsible for repaying \$400.00 for each position below 420. An October 2000 compliance review noted only 335 First Union employees are now located in Enterprise Zone One. The City of Roanoke recently received a check from First Union in the amount of \$34,000, representing repayment for 85 positions. Such funds need to be appropriated into an account within the City's budget.

Considerations:

The penalty repayment provides an opportunity to further maintain and stimulate economic activity within Enterprise Zone One. Currently, the Roanoke City Market Building (also located in Enterprise Zone One) is in need of various repairs and improvements. Such improvements will sustain business growth and expansion within the Market Building.

Honorable Mayor and Members of Council
June 4, 2001
Page 2

Recommended Action:

City Council appropriate the First Union repayment funds into an account to be established in the Capital Projects Fund by the Director of Finance designated for Market Building Improvements.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:clw

c: James D. Grisso, Director of Finance
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Elizabeth A. Neu, Director of Economic Development

#CM01-00095

June 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Alcohol Ordinance

Background:

On April 16, 2001, City Council revised the Alcohol Ordinance, City Code §26-97, Possession or consumption of alcoholic beverages, Article IV, Parks, Chapter 24, Public Buildings and Property, to allow, pursuant to issuance of a City alcohol permit, the possession or consumption of alcoholic beverages for certain specific locations: Elmwood Park, Mill Mountain Park, Century Square, First Union Plaza and Mountain View. As the revised ordinance stands, only 501(c) non-profit organizations would be allowed to apply for the City alcohol permit. While the overall intent for the revision of the ordinance was to include all sites within the City's park system where alcohol consumption should be allowed, it was not meant to limit permits to non-profit organizations for all of the listed locations. Rather, the aim was to allow alcohol consumption at parties by not only non-profit organizations, but also private individuals and for-profit entities at Mountain View and the Discovery Center. This clarification was unintentionally omitted from the previous report and the ordinance was drafted based upon the report.

Considerations:

Alcohol consumption at parties by individuals and for-profit organizations, as well as non-profit organizations, has been allowed at Mountain View for a number of years because this facility is an ideal venue for weddings and receptions. Likewise, such events would be in high demand at the Discovery Center.

The Honorable Mayor and Members of Council
June 4, 2001
Page 2

These events would be allowed only after operational hours at the Discovery Center. The proposed revision would not permit alcohol consumption at events held by individuals or for-profit organizations in Mill Mountain Park.

The ordinance as revised in April 2001 requires a \$500.00 damage/clean-up deposit for all events. It is recommended that the ordinance be revised to reduce the refundable damage/clean-up deposit to \$200.00 for events where alcohol will be served and \$100.00 for events without alcohol. After discussing the deposit amount with our users, it is felt that many renters would not be able to afford a \$500.00 damage deposit.

Recommended Action:

Approve the attached ordinance amending and reordaining City Code § 24-97, Possession or consumption of alcoholic beverages, Article IV, Parks, Chapter 24, Public Buildings and Property; to allow for consumption and possession of alcoholic beverages at events held by non-profit entities, for-profit entities and individual entities, pursuant to issuance of a City Alcohol Permit, at Mountain View and the Discovery Center; and, that City Council amend the Fee Compendium to reflect a new refundable damage/clean-up deposit of two hundred dollars (\$200.00) for events serving alcohol and one hundred dollars (\$100.00) for events not serving alcohol.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB: kaj

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James Grisso, Director of Finance
Wanda B. Reed, Acting Director of Parks and Recreation

A. L. Gaskins, Police Chief

CM01-00096

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

AN ORDINANCE amending and reordaining subsection (b) of ' 24-97, Possession or consumption of alcoholic beverages, of Article IV, Parks, of Chapter 24, Public Buildings and Property Generally, of the Code of the City of Roanoke (1979), as amended, to allow for consumption and possession of alcoholic beverages at private events, pursuant to issuance of a City alcohol permit, at Mountain View and the Discovery Center; amending the Fee Compendium to reflect a new refundable damage/clean-up deposit; and providing for an emergency.

BE IT ORDAINED by the Council of the City of Roanoke that:

1. Subsection (b) of Section 24-97, Possession or consumption of alcoholic beverages, of Article IV, Parks, of Chapter 24, Public Buildings and Property Generally, of the Code of the City of Roanoke (1979), as amended, are hereby amended and reordained to read and provide as follows:

Sec. 24-97. Possession or consumption of alcoholic beverages.

* * *

(b) Subsection (a) of this section notwithstanding, the city manager is hereby authorized to allow alcoholic beverages to be consumed on the premises of Elmwood Park, Century Square at Church Avenue, S.E., across from Fire Station No. 1 (ACentury Square@), Mill Mountain Park (including the Discovery Center), Mountain View and First Union Plaza at Market Street, S.E., adjacent to the Market Square Walkway (AFirst Union Plaza@), hereinafter collectively referred to as the Adesignated park facilities,@ under the following conditions:

- (1) Any applicant seeking to serve or permit the consumption of alcoholic beverages in the designated park facilities shall apply to the city manager for an Alcohol Permit, allowing the possession, consumption, distribution or sale of alcoholic beverages within the designated park facilities. If the Alcohol Permit is issued by the city manager, the applicant shall also obtain all appropriate permits and licenses from the State Department of Alcoholic Beverage Control (AABC Board). The issuance of the City's Alcohol Permit shall be conditioned upon the issuance of a permit or license by the ABC Board on the same terms and conditions as the City's Alcohol Permit. A copy of the ABC permit shall be filed with the city manager at least three (3) business days before the first day of the event which is the subject of the City's Alcohol Permit;
- (2) Only section 501(c) nonprofit organizations under Title 26 of the United States Code may apply for the City's Alcohol Permit for Elmwood Park, Century Square, Mill Mountain Park (not including the Discovery Center) and First Union Plaza. Any person or entity may apply for the City's Alcohol Permit for Mountain View and the Discovery Center;

* * *

- (6) Any applicant which is a section 501(c) nonprofit organization under Title 26 of the United States Code which applies for a City Alcohol Permit shall produce, at the time of application, written evidence, satisfactory to the city manager, of its status as a section 501(c) nonprofit organization under Title 26 of the United States Code;

* * *

2. The Fee Compendium of the City, maintained by the Director of Finance and authorized and approved by the City Council by Resolution No. 32412-032795, adopted March 27, 1995, effective as of that date, shall be amended to reflect the new fee of two hundred dollars (\$200.00) for a

damage/clean-up deposit for events serving alcohol, and one hundred dollars (\$100.00) for events not serving alcohol, pursuant to ' 24-97(b)(9) of the Code of the City of Roanoke (1979), as amended.

3. Resolution No. 32412-032795 is hereby amended to the extent and only to the extent of any inconsistency with this Resolution.

4. The fee and deposit established by this Resolution shall remain in effect until amended by this Council.

5. In order to provide for the usual daily operation of the municipal government, an emergency is deemed to exist, and this ordinance shall be in full force and effect upon its passage.

ATTEST:

City Clerk.

June 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Fund Appropriation from Capital
Maintenance and Equipment
Replacement Program

On October 2, 2000, City Council concurred with the funding recommendations for the FY 00-01 Capital Maintenance and Equipment Replacement Program (CMERP). CMERP is used to fund equipment purchases, maintenance and other one-time priority purchases.

City Council's approval is required for the appropriation of funds from CMERP to various accounts to allow for the acquisition of items listed on Attachment 1 of this letter. All acquisitions will be accomplished in accordance with the City's Procurement Policies, as set out in Chapter 23.1 of the Code of the City of Roanoke, Virginia.

Recommended Action:

City Council approve the budget ordinance to appropriate \$315,000 to departmental accounts as follows:

1. \$110,000 to an account in the Capital Projects Fund to be established by the Director of Finance entitled "NPDES Phase 2".
2. \$155,000 to Miscellaneous Storm Drain account number 008-530-9736.

The Honorable Mayor and Members of Council
June 4, 2001
Page 2

3. \$50,000 to an account in the Capital Projects Fund to be established by the Director of Finance entitled "Curb to Support Drainage Projects".

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB/JGR/bls

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Barry L. Key, Director of Management and Budget
Robert K. Bengtson, Director of Public Works
D. Darwin Roupe, Director of General Services
Robert L. White, Purchasing Manager

#CM01-00100

Attachment 1

Capital Maintenance and Equipment Replacement Program (CMERP) Recommendation Expenditures – Justification

Engineering

1. National Pollution Discharge Elimination System
(NPDES) Phase 2 - \$110,000

To prepare the required permit application and address funding for this new EPA law which the City must comply with beginning in 2003.

2. Miscellaneous Storm Drain Projects - \$155,000

To provide for the land acquisition, design and construction of the City's highest-priority, small storm drain projects.

3. Curb and Gutter - \$50,000

To provide curb and gutter required for the construction of certain storm drain projects.

June 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Appropriation of Regional
 Disability Services Board
 Grant Funding - Brain Injury
 Association of Virginia

Background:

The Fifth District Disability Services Board (DSB) is responsible to local governments and serves as a critical resource for needs assessment, information sharing and service opportunities for citizens with disabilities, their families and the community. The following jurisdictions in the Fifth Planning District have enacted resolutions establishing their participation in a regional effort and have appointed a local official to serve: the cities of Roanoke, Salem, Covington, Clifton Forge; counties of Roanoke, Craig, Botetourt, and Allegheny and the Town of Vinton. Other members of the DSB include representatives from business and consumers.

City Council authorized the Director of Finance to serve as fiscal agent for the Fifth Planning District Disabilities Services Board on September 25, 1995, Resolution No. 32675-092595.

The State Department of Rehabilitative Services has allocated funds in the amount of \$7,000 to the Fifth District DSB for the Brain Injury Association of Virginia to provide an education program in the Roanoke area. (See Attachment A). The Brain Injury Association of Virginia will provide a local cash match of \$701 which will also be used towards scholarship funds for program participants.

Funds will be used to provide an education program in the Roanoke area. Specifically, this funding will be utilized to provide 100 scholarships valued

at \$70 each for attendees of a full day conference on brain injury featuring nationally recognized speakers. This project will be the first effort to conduct a brain injury education program in the Roanoke area with a target audience of survivors of brain injury, caregivers and service providers.

Recommended action(s):

City Council appropriate \$7,701 for fees for professional services in a grant fund account to be established by the Director of Finance and create a corresponding revenue estimate from the State Department of Rehabilitative Services to provide funding for the Fifth District DSB.

Respectfully submitted,

Darlene L. Burcham
City Manager

cc: Glenn Radcliffe, Director, Human Services
Carol Wright, Human Services Coordinator
Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance

Attachment (1)

CM01-00102

June 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Industrial Access Funds
De-appropriation

Background:

In 1999, Budget Ordinance 34214 appropriated \$450,000 in state Industrial Access Funds to account number 008-002-9700-9007 for the Johnson & Johnson project.

Since the appropriation, the city has been notified as to the ineligibility of this project for Industrial Access Funds. (See attached letter.) Therefore, the funds must be de-appropriated. These funds have neither been received by the City nor used on any project. Therefore, de-appropriation is the only required action and alternate funding is not needed.

Recommended Action:

De-appropriate fund in account 008-002-9700-9007, Johnson and Johnson Offsite Improvements, and reverse the account receivable in the same amount in account 008-1251, Industrial Access Due From State.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:lb

Honorable Mayor and Members of Council
June 4, 2001
Page 2

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Elizabeth A. Neu, Director of Economic Development
Philip C. Schirmer, City Engineer
Barry L. Key, Director of Management & Budget

COUNCIL LETTER # CM01-00103

June 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Funding for Workers'
Compensation Wage and
Medical Accounts

Background:

Workers' Compensation is defined as the "exclusive remedy, under law, for all covered employees for compensating injuries and occupational diseases arising in the course of and within the scope of employment." The City is currently self-insured for Workers' Compensation liability with excess insurance above the \$1,000,000 (per occurrence) level. Funding has been budgeted in the general fund for the current fiscal year to cover workers' compensation wage and medical payments. These types of fringe benefits are budgeted as a lump sum in the non-departmental category because annual charges for each department are difficult to project accurately.

Payments in the General Fund in FY 2001 are expected to total \$1,102,328 based on trends through April. Expenses in FY 2001 are higher than they typically have been due to large medical costs. In FY 2001, there have been large individual payments for various heart ailments, injuries and infections, many of which having dates of injury occurring prior to FY 2001. Funding to cover these payments is available from budgeted workers' compensation supplemented by funding from the General Fund contingency balance and residential detention services.

Recommended Action(s):

City Council authorize the transfer of \$1,102,328 to cover Workers' Compensation claims in the departmental workers' compensation accounts (see attached spreadsheet) from the following sources:

<u>Funding Sources:</u>	<u>Account Number</u>	<u>Amount</u>
Workers' Compensation-Wages	001-250-9110-1135	\$400,000
Workers' Compensation-Medical	001-250-9110-1140	\$400,000
Contingency Fund	001-300-9410-2199	\$152,328
Residential Detention Services	001-121-2130-2008	<u>\$150,000</u>
		\$1,102,328

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:vls

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance
Glenn A. Asher, Risk Management Officer

COUNCIL LETTER # CMO1-00105

June 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Donation of 1218 Steam
 Locomotive

Shenandoah-Virginia Corporation, a wholly owned subsidiary of Norfolk Southern Railway Company, would like to donate the Number 1218 Steam Locomotive to the City of Roanoke. With Council's acceptance of this gift, the locomotive will be showcased at the Virginia Museum of Transportation's railyard according to the provisions outlined by Shenandoah-Virginia Corporation in the draft agreement attached hereto. The Museum has agreed to insure the locomotive and maintain it as a part of the Museum's collection.

As you will see from the attached letter from the Museum, the 1218 holds many memories to the citizens of Roanoke as it was built in the Roanoke shops of Norfolk Southern and pulled many steam excursion trains between the years of 1936 and 1958. The Museum will place this locomotive beside the 611 locomotive already owned by the City and showcased at the Museum.

The donation of the 1218 will not take effect until Center in the Square successfully obtains exclusive rights from O. Winston Link's Estate to house the O. Winston Link Museum at the former Norfolk and Western Railway Company passenger station, and Center in the Square satisfies Shenandoah-Virginia Corporation that locating the 1218 Locomotive at the Virginia Museum of Transportation meets any and all of the Estate's conditions for obtaining such rights.

Recommended Action:

Authorize the City Manager to execute an agreement, and any other necessary documents, in a form approved by the City Attorney to accept the donation of the 1218 locomotive from Shenandoah-Virginia Corporation to be showcased at the Virginia Museum of Transportation

and express appreciation for the donation.

Respectfully submitted,

Darlene L. Burcham
City Manager

DLB:ca

Attachments

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
James D. Grisso, Director of Finance

#CM01-00113

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION authorizing the City Manager to execute an Agreement, and any other necessary documents, for acceptance of the donation of the 1218 Locomotive from the Shenandoah-Virginia Corporation, a wholly owned subsidiary of Norfolk Southern Railway Company, and expressing appreciation for the donation.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The City Manager and the City Clerk are hereby authorized, for and on behalf of the City, to execute and attest, respectively, an Agreement and any other necessary documents, approved as to form by the City Attorney, to accept the donation of the 1218 Locomotive from Shenandoah-Virginia Corporation.

2. This Council expresses its appreciation to Shenandoah-Virginia Corporation and Norfolk Southern Railway Company for their willingness to donate the 1218 Locomotive and to the Virginia Museum of Transportation for its agreement to facilitate the donation by displaying and maintaining the 1218 Locomotive.

3. The City Clerk is directed to forward an attested copy of this resolution to Shenandoah-Virginia Corporation, Norfolk Southern Railway Company and the Virginia Museum of Transportation.

ATTEST:

City Clerk.

Department of Finance
City of Roanoke, Virginia

June 4, 2001

TO: Honorable Mayor and Members of City Council

FROM: James D. Grisso, Director of Finance

SUBJECT: April Financial Report

This financial report covers the first ten months of the 2000-2001 fiscal year. The following narrative discusses revenues and expenditures to date.

REVENUE

General Fund revenues reflect an increase of 1.56% or \$2,372,000 compared to FY00. Variances in specific categories of revenues are as follows:

General Property Taxes are up .44% or \$284,000. Real estate taxes through the end of April have increased \$1,961,000 or 4.46% over the same period in the prior fiscal year, and collections are at 99.78% of the budgeted amount. Personal property taxes recorded in this category are below the prior year due to the increased percentage of funding provided by the Commonwealth of Virginia. Personal property tax revenue funded by the Commonwealth is reflected in the Grants-in-Aid-Commonwealth revenue category. Total personal property revenue, including the state share, has increased 2.1% over the same period in the prior year. Penalties and interest on delinquent taxes have increased \$103,000 or 15.37%, reflecting the results of improved collections during the current fiscal year.

Other Local Taxes have increased 4.07% or \$1,749,000. Business and Professional Occupational License Tax is up from the prior year, and has exceeded the budget estimate. Gas utility tax has increased compared to the prior year due to increased consumption. Prepared food and beverage tax revenue is ahead of the prior year due to several new restaurant openings. Cellular phone tax has increased due to the rising number of cell phone subscribers. These increases are partially offset by a decrease in electric utility consumer tax due to a timing difference.

Fines and Forfeitures are below prior year collections by 8.93% or \$72,000. The decline is due to decreased collections of General District Court fines.

Revenue from Use of Money and Property declined 8.86% or \$79,000. The State is billed

for use of the Commonwealth Building monthly based on estimated operating and maintenance costs. In August of FY00, the State was billed for the amount that actual costs exceeded estimated costs, producing significantly higher revenue in FY00. No additional amounts were billed in FY01. This decrease is partially offset by an increase in interest income resulting from higher average daily cash balances in the General Fund.

Grants-in-Aid Federal Government decreased \$8,500 or 33.20% due to timing differences in the receipt of FEMA revenue.

Charges for Services is up \$244,000 or 8.86% due to an increase in weed cutting and demolitions billings. Those revenues were down in FY2000, compared to historical performance.

Miscellaneous Revenue is up \$36,000 or 17.61% resulting from having two surplus property sales in fiscal year 2001 as opposed to one sale at this same point in time in the prior year. An increase in the volume of surplus vehicles necessitated the additional sale in the current fiscal year.

EXPENDITURES AND ENCUMBRANCES

General fund expenditures and encumbrances have increased 5.40% or \$8,055,000 since FY00. Variances in individual expenditure categories are discussed as follows:

Judicial Administration expenditures are up \$843,000 or 22.07%. Juvenile and Domestic Relations Court Services costs to house children detained by the courts have increased from the prior year. Effective June 2000, children detained by the court were housed at the Roanoke Valley Detention Center instead of the City-operated detention home. Expenditures of the City-operated juvenile detention home were reported under the Public Safety category in prior years. Personal service expenditures of the Circuit Court Judges have also increased due to additional law clerk positions in FY01.

Public Works expenditures have increased 5.17% or \$996,000. This increase is due in part to timing differences associated with payments on the annual street paving contract. Personal service costs of the Streets and Traffic department are up. Expenditures of the Solid Waste Management Recycling department are higher than prior years due to increased tonnage of bulk garbage and brush handled by Roanoke Valley Resource Authority and the purchase of approximately 27,000 recycling containers.

Community Development expenditures have risen 29.56% or \$811,000. This is due to across the board increases in the Planning and Code Enforcement Department related to its recent re-

organization and the opening of a new office at an off-site location by the Department of Economic Development. Memberships and Affiliations expenditures also increased mostly due to an increase in contributions paid to Center in the Square and a timing difference in the payment to Roanoke Valley Cable TV Educational Access Channel.

Transfer to Debt Service Fund is up \$1,679,000 or 16.10% on a year-to-date basis due to our requirement to make the first payment on the Series 1999 General Obligation Bonds. This was partially offset by decreased principal payments made on the Series 1994 and 1997B General Obligation Bonds.

Nondepartmental expenditures increased 21.07% or \$1,445,000. Transfers to the Capital Projects Fund increased due to transfers of funding for Greater Gainsboro property acquisition, infrastructure and parking garage. Funds were also transferred for the HOPE VI project, the new police building and various other capital projects. Transfers to the Department of Technology increased to fund priority projects and equipment needs.

I would be pleased to answer questions which City Council may have regarding the monthly financial statements.

Director of Finance

JDG/THT

Department of Finance
City of Roanoke, Virginia

June 4, 2001

TO: Honorable Mayor and Members of City Council

FROM: James D. Grisso, Director of Finance

SUBJECT: Transfers of Employee Fringe Benefits Budgets

The fiscal year 2000-2001 General Fund Budget included funds in the nondepartmental category for unemployment wages and termination (vacation) leave wages. These fringe benefits are budgeted at estimated amounts in the nondepartmental category because annual charges of each department are difficult to project. Actual costs are charged to departments in anticipation of budget transfers to cover the costs.

The attached budget ordinance transfers funds from the nondepartmental category to the applicable departmental budgets. As needed, available funding related to one type of fringe benefit is used to supplement funding needed in another area such as retiree medical insurance, extended illness leave payments and termination leave wages. The transfers do not increase the General Fund budget in total, but only reallocate amounts between departments.

A summary of the total transfers in the attached budget ordinance is as follows:

	Budget Amount Before <u>Transfers</u>	Transfers <u>In/Out</u>	Revised Budget <u>Amount</u>
FICA	\$4,554,422	(\$ 232,089)	\$4,322,333
Unemployment Wages	35,000	772	35,772
Extended Illness	0	19,215	19,215
Termination Leave Wages	<u>91,275</u>	<u>212,102</u>	<u>303,377</u>
Total	<u>\$4,680,697</u>	<u>\$ 0</u>	<u>\$4,680,697</u>

The attached budget ordinance will accomplish the required transfers. I recommend it for your approval.

Director of Finance

JDG/THT
Attachment

Department of Finance
City of Roanoke, Virginia

June 4, 2001

TO: Honorable Mayor and Members of City Council

FROM: James D. Grisso, Director of Finance

SUBJECT: Appropriations Transfer of Internal Service Funds Charges

The City of Roanoke's Internal Service Funds account for certain services provided to departments of the General Fund. The Internal Service Funds recover their costs by charging the receiving departments for services provided.

Budgeted funds for internal services are allocated in the General Fund in each fiscal year's budget throughout various departments based on estimated usage. Usage usually varies from the original estimates. Each fiscal year, at this time, it is necessary to make appropriations transfers between departments to provide sufficient funds for internal services for the fiscal year. This ordinance makes such transfers. The transfers do not increase the overall General Fund budget, but only reallocate amounts between departments.

A summary of the total transfers in the attached budget ordinance is as follows:

	Budget Amount Before <u>Transfers</u>	Transfers <u>In/Out</u>	Revised Budget <u>Amount</u>
Department of Technology	\$3,122,551	\$0	\$3,122,551
Department of Technology - PC Rental	593,000	0	593,000
Management Services	95,975	0	95,975
Risk Management Overhead	598,080	0	598,080
Fleet Management	1,726,500	(44,348)	1,682,152
Fleet Rental	<u>1,050,000</u>	<u>44,348</u>	<u>1,094,348</u>
Total	<u>\$7,186,106</u>	<u>\$0</u>	<u>\$7,186,106</u>

The attached budget ordinance will accomplish the required transfers. I recommend it for your approval.

Director of Finance

JDG/THT
Attachment

June 4, 2001

The Honorable Ralph K. Smith, Mayor
The Honorable William H. Carder, Vice-Mayor
The Honorable William D. Bestpitch, Council Member
The Honorable C. Nelson Harris, Council Member
The Honorable W. Alvin Hudson, Jr., Council Member
The Honorable William White, Sr., Council Member
The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

CDBG Program Income from Roanoke Redevelopment and Housing Authority

By agreement with the City of Roanoke, the Roanoke Redevelopment and Housing Authority administers a large segment of the City's Community Development Block Grant program. The Housing Authority receives program income during the course of its administration of various projects through the sale of land and the receipt of loan repayments from project area residents. The Housing Authority is required to transfer this program income to the City of Roanoke. The City is required to use the income for eligible community development activities.

The Housing Authority has made payments to the City in the amount of \$189,007 from December 1, 2000 to May 15, 2001 in excess of revenue estimates previously adopted. Of this amount, \$104,385 resulted from the sale of property, \$25,900 in parking lot rental, and \$58,722 from various loan repayment programs.

CDBG Miscellaneous Program Income

The City has received miscellaneous program income as listed below. The amounts represent the difference between what was actually received and the amount that was previously adopted based on repayment estimates.

\$ \$60,050 from the Williamson Road Parking Garage which was constructed in part using CDBG funds.

\$ \$6,929 in various loan repayments.

We recommend that City Council appropriate the total \$255,986 in unanticipated

CDBG program income as follows:

Unprogrammed CDBG - Other - FY01	(035-G01-0140-5189)	\$ 66,979
Unprogrammed CDBG - RRHA - FY01	(035-G01-0140-5197)	189,007

The amounts being appropriated to unprogrammed accounts will be available for future appropriation for eligible community development purposes.

HOME Program Income

The Housing Authority also administers a segment of the City's HOME program. The assistance provided by the Housing Authority is predominantly in the form of low- or no-interest active and deferred loans to eligible homeowners and homebuyers. Loan repayments constitute program income to the City's HOME program. As of May 15, 2001, loan repayments received in excess of budget estimate equal \$11,516.

We recommend that City Council appropriate \$11,516 to the Unprogrammed HOME - FY01 account (035-090-5323-5320). This will be available for future appropriation for eligible HOME activities.

I would be pleased to answer questions which City Council may have.

Sincerely,

James D. Grisso
Director of Finance

JDG/THT:s

c: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Barry L. Key, Director of Management and Budget
Frank E. Baratta, Grants Compliance

June 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable W. Alvin Hudson, Council Member
Honorable William D. Bestpitch, Council Member
Honorable William White, Sr., Council Member
Honorable C. Nelson Harris, Council Member
Honorable Linda F. Wyatt, Council Member

Subject: Ordinance change for payment due date for Consumer Utility Tax

Dear Mayor Smith and Members of City Council:

Background:

In October 2000, the Consumer Utility Tax Ordinance was amended to comply with legislation which deregulated the electric and natural gas industries in the state. Review of that legislation indicates that the due dates of the monthly tax remittances need to be changed to correspond to that legislation.

Currently, the city code provides that the Consumer Utility Tax is due on the 20th day of the month following the month in which the tax was collected. Section 58.1-3814 of the Code of Virginia specifies that the utility shall remit Asuch tax to the appropriate locality in accordance with Section 58.1-2901.@ Section 58.1-2901, which pertains to the new Consumption Tax (not the consumer utility tax), details that the tax Ashall be remitted monthly on or before the last day of the succeeding month of collection.@ This means that under the new legislation that both the existing Consumer Utility Tax and the local portion of the new Consumption Tax are both due to the locality on or before the last day of the month following the month in which the tax was collected.

Considerations:

This change will bring the city's code into compliance with the Code of Virginia. This will also ensure consistent payment dates for the electric and natural gas utilities for both the Consumer Utility Tax and the Consumption Tax. Although the city will be receiving the tax payments ten to eleven days later than previously received, the fiscal impact will be nominal.

Recommended Action:

City Council adopt the attached ordinance amending the electric and natural gas consumer utility tax to provide for a payment date as specified in Section 58.1-2901 of the Code of Virginia.

Respectfully Submitted,

James D. Grisso
Director of Finance

JDG/DDL:s
Attachment

c: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Mary R. Parker, City Clerk
Jesse A. Hall, Deputy Director of Finance
Dana D. Long, Chief, Billings & Collections

June 4, 2001

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member
Dear Mayor Smith and Council Members:

Background:

The Hotel Roanoke Conference Center Commission was created by the Virginia General Assembly in 1991 to construct, equip, maintain and operate the Conference Center of Roanoke adjacent to the Hotel Roanoke. The City of Roanoke and Virginia Tech are participating entities in the Commission. In 1992, City Council authorized the establishment of an Agency Fund entitled ~~A~~Hotel Roanoke Conference Center Commission.[@] The enabling legislation for the Commission allows for the participating parties to equally contribute funds to the Commission to fund operating deficits of the Commission and to enable the Commission to expend such revenues for their proper purposes. The budget must be approved by each of the participating entities. City Council included \$175,000 in the FY 01-02 General Fund adopted budget to be used for such purposes.

Considerations:

The Hotel Roanoke Conference Center Commission recommends the attached FY01-02 budget for your consideration.

Recommended Action:

City Council approve the Hotel Roanoke Conference Center Commission Budget for FY01-02, appropriate \$350,000 to the Conference Center Agency Fund accounts and establish revenue estimates of \$175,000 each for the City of Roanoke and Virginia Tech contributions.

Respectively submitted,

James D. Grisso
Director of Finance

JDG:s

Attachment

c: Darlene L. Burcham, City Manager
John H. Parrott, Chairman, Hotel Roanoke Conference Center
Commission
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Barry S. Key, Manager, Office of Management and Budget



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***JUNE 4, 2001
12:15 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call. Council Member Harris was absent.

A report of the City Attorney requesting a Closed Meeting to consult with legal counsel on a matter of probable litigation, pursuant to Section 2.1-344(A)(7), Code of Virginia (1950), as amended.

(Approved 6-0)

File #132

A report of the City Attorney requesting a Closed Meeting to consult with legal counsel on a matter of pending litigation, pursuant to Section 2.1-344(A)(7), Code of Virginia (1950), as amended.

(Approved 6-0)

File #132

A communication from the Honorable C. Nelson Harris, Chair, City Council Personnel Committee, requesting a Closed Meeting to discuss the performance of two Council-Appointed Officers, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

(Approved 6-0)

File #132

A communication from the Honorable Ralph K. Smith, Mayor, requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.1-344 (A)(1), Code of Virginia (1950), as amended.

(Approved 6-0)

File #132

**THE MEETING OF ROANOKE CITY COUNCIL WAS DECLARED
IN RECESS TO BE RECONVENED AT 2:00 P.M., IN THE CITY
COUNCIL CHAMBER.**



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***JUNE 4, 2001
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

- 1. Call to Order--Roll Call. Council Member Harris was absent.**

The Invocation was delivered by Mayor Ralph K. Smith.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTv Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, June 7, 2001, at 7:00 p.m., and Saturday, June 9, 2001, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE CITY COUNCIL AGENDA PACKAGE ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS THE AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT www.roanokegov.com, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

PRESENTATIONS:

A RESOLUTION memorializing the late William S. Hubbard, former Roanoke City Council Member.

Adopted Resolution No. 35372-060401. (6-0)
File #80-132-367

PUBLIC HEARINGS

Public hearing on a proposed resolution authorizing the City to contract a debt and to issue general obligation public improvement bonds of the City (and in anticipation of the issuance thereof general obligation public improvement bond anticipation notes of the City), in the principal amount of \$3,000,000 for the purpose of providing funds to pay the costs of a public improvement project of and for the City, consisting of capital improvements to the Roanoke Civic Center.

Adopted Resolution No. 35373-060401. (6-0)
Council Member Wyatt requested that the City Manager report on the timetable for completion of one of the exhibit halls at the Roanoke Civic Center and the funding mechanism.
File #53-192

2. CONSENT AGENDA

(APPROVED 6-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the special sessions of Roanoke City Council held on Monday, April 23, 2001; the regular meeting held on Monday, May 7, 2001, and recessed until Thursday, May 10, 2001, for the Second Annual Leadership Summit; and the regular meeting held on Monday, May 21, 2001.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from Robert E. Tonkinson, Jr., tendering his resignation as a member of the Board of Trustees, City of Roanoke Pension Plan, effective June 30, 2001.

RECOMMENDED ACTION: Receive and file the communication and accept the resignation.

File #15-110-429

- C-3 A communication from the City Manager recommending that a public hearing be advertised for Monday, June 18, 2001, at 7:00 p.m., in connection with a request of the Blue Ridge Small Business Development Center for tax exempt status.

RECOMMENDED ACTION: Concur in request.

File #79-169

- C-4 Qualification of Minnis E. Ridenhour as a Commissioner of the Hotel Roanoke Conference Center Commission for a term ending February 24, 2005.

RECOMMENDED ACTION: Receive and file.

File #15-110-247

REGULAR AGENDA

- 3. HEARING OF CITIZENS UPON PUBLIC MATTERS: NONE.**
- 4. PETITIONS AND COMMUNICATIONS: NONE.**

5. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending acceptance of a grant from the Roanoke Redevelopment and Housing Authority, in the amount of \$20,000.00, for implementation of a Trespassing Tracking System.

Adopted Budget Ordinance No. 35374-060401 and Resolution No. 35375-060401. (6-0)
File #5-178-472

2. A communication recommending acceptance of the donation of the 1218 Locomotive from the Shenandoah Virginia Foundation, a wholly owned subsidiary of Norfolk Southern Railway Corporation, for display at the Virginia Museum of Transportation.

Adopted Resolution No. 35376-060401. (6-0)
File #68-223-229

3. A communication from the City Manager recommending appropriation of \$28,568.00, in connection with the Federally Forfeited Property Sharing Program.

Adopted Budget Ordinance No. 35377-060401. (6-0)
File 35-60-236

4. A communication recommending appropriation of \$34,000.00 for repayment of 85 positions, in connection with an agreement between the City, First Union National Bank and the Fifth District Employment and Training Consortium relating to jobs in Enterprise Zone One.

Adopted Budget Ordinance No. 35378-060401. (6-0)
File #60-246-369-450

5. A communication recommending deappropriation of \$450,000.00 in state Industrial Access Funds, in connection with the Johnson and Johnson Offsite Improvements Project.

Adopted Budget Ordinance No. 35379-060401. (6-0)
File #207-450

6. A communication recommending appropriation of \$315,000.00 from the Capital Maintenance and Equipment Replacement Program for equipment purchases, maintenance and other one-time priority purchases.

Adopted Budget Ordinance No. 35380-060401. (6-0)
File #60-270-472

7. A communication recommending transfer of \$1,102,328.00 to cover workers' compensation wage and medical claims in departmental workers' compensation accounts.

Adopted Budget Ordinance No. 35381-060401. (6-0)
File #63-184

8. A communication recommending execution of a lease agreement with First Campbell Square, LLC, for 2,200 square feet of space at First Campbell Square, 210 First Street, S. W., for use as a computer lab for training purposes by the VISSTA Program; and appropriation of \$30,984.00 in connection therewith.

Adopted Budget Ordinance No. 35382-060401 and
Resolution No. 35383-060401. (6-0)
File #72-373

9. A communication recommending appropriation of \$7,701.00 in connection with acceptance of a grant from the State Department of Rehabilitative Services to the Fifth District Disability Services Board to be used by the Brain Injury Association of Virginia for an educational program in the Roanoke area.

Adopted Budget Ordinance No. 35384-060401. (6-0)

Council Member Wyatt suggested that law enforcement officers and attorneys receive educational training with regard to persons suffering from brain trauma.

File #5-60-236-326-438

10. A communication recommending amendment of the City Code and the Fee Compendium to reflect a new refundable damage/clean-up deposit of \$200.00 for events serving alcohol and \$100.00 for events not serving alcohol at certain City locations.

Adopted Ordinance No. 35385-060401. (5-1, Council Member Hudson voted no.)

File #24-67-289

11. A communication recommending acceptance of a bid submitted by Cycle Systems, Inc., for recycling services of paper, bottle and can commodities, and rejecting all other bids received by the City.

Adopted Resolution No. 35386-060401. (6-0)

File #144-282

b. DIRECTOR OF FINANCE:

1. Financial report for the month of April, 2001.

Received and filed.

File #1-10

2. A report in connection with transfers to Internal Service Fund budgets.

Adopted Budget Ordinance No. 35387-060401. (6-0)
File #60

3. A report recommending transfer of funds in connection with employee fringe benefits.

Adopted Budget Ordinance No. 35388-060401. (6-0)
File #60-184

4. A report recommending amendment of the electric and natural gas consumer utility tax, to provide for a payment date as specified in Section 58.1-2901, Code of Virginia, (1950), as amended.

Adopted Ordinance No. 35389-060401. (6-0)
File #24-79-330

5. A report in connection with the annual operating budget of the Hotel Roanoke Conference Center Commission for fiscal year 2002.

Adopted Budget Ordinance No. 35390-060401 and
Resolution No. 35391-060401. (6-0)
File #60-247

6. A report recommending appropriation of funds in connection with the Community Development Block Grant (CDBG) program and HOME program income from the Roanoke Redevelopment and Housing Authority, and CDBG miscellaneous program income.

Adopted Budget Ordinance No. 35392-060401. (6-0)
File #178-236

6. REPORTS OF COMMITTEES: NONE.

7. UNFINISHED BUSINESS: NONE.

8. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

9. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Council Member Hudson expressed concern in connection with a motion adopted by Council on Monday, May 21, 2001, with regard to acquiring land across Orange Avenue from the Roanoke Civic Center for construction of a multi-purpose facility (stadium and amphitheatre), at a project cost not to exceed \$18 million. He stated that since he is rarely absent from City Council meetings, out of professional courtesy, the vote should have been deferred until all members of Council were in attendance.

File #122

Council Member Bestpitch advised that he attended the Annual Conference of Neighborhoods USA in Pittsburgh, Pennsylvania, on May 23 - 26, 2001, and commended the young people who represented the City of Roanoke at the Conference.

File #80-165-488

Council Member Wyatt commended City staff for their assistance in connection with a tour of certain City facilities by second grade students from Westside Elementary School on May 23, 2001.

File #80-467

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

10. OTHER HEARING OF CITIZENS UPON PUBLIC MATTERS: NONE.

CERTIFICATION OF CLOSED SESSION. (6-0)

David A. Morgan and Billie Abshire were reappointed and Kenneth King was appointed as members of the City of Roanoke Transportation Safety Commission for terms ending October 31, 2004.

File #15-20-110

Wendi Wagner was appointed as a member of the Youth Services Citizen Board for a term ending May 31, 2004.

File #15-110-304